[illegible]

❧ The thre bokes of Tullius offyce, bothe in latyn tongue and englysh, late translated and dyligētly corrected by Robart Whytynton laureat poete.

Thomas williams
his booke

PRIMA PARS.

Cum priuilegio regali.

pretium — 6

Thomas williams

M. TVLLII CICERONIS OFFICIORVM LIBER PRIMVS AD MARCVM FILIVM.

QVANQVAN ET MARCI FILI, annum iam audientem Cratippum, idq; Athenis, abundare oportet præceptis, inſtitutiſq; Philoſophiæ, propter ſummam & doctoris authoritatem, & urbis, quorum alter te ſcientia augere poteſt, altera exemplis, tamen ut ipſe ad meam utilitatem ſemper cum græcis latina coniunxi, neq; id in philoſophia ſolum, ſed etiam in dicendi exercitatione feci, idem tibi cenſeo faciendum, ut par ſis in utriuſq; orationis facultate. Quam quidem ad rem nos (ut uidemur) magnum adiumentum attulimus hominibus noſtris, ut non modo græcarum literarum rudes, ſed etiam docti aliquantum ſe arbitrentur adeptos, & ad dicendum & ad iudicandum. Quamobrem diſces tu quidem, à principe huius ætatis philoſophorum, & diſces quamdiu uoles, tamdiu autem uelle debebis, quod ad te quantum proficias non pœnitebit, id eſt, non parum uidebitur, ſicut Terẽtin He aut. Sed tamen noſtra legens, non multum à Peripateticis diſſidentia (quoniã utriq; & Socratici & platonici uolumus eſſe) de rebus ipſis utere tuo iudicio, nihil enim impedio. Orationem autem latinam efficies profecto legẽdis noſtris pleniorem. Nec uero arrogãter hoc dictũ existimari uelim. Nam philoſophandi ſcientiã concedens multi

¶ The fyrſt booke of Marcus Tullius Ciceros offyces to his ſonne Marcus.

Thoughe thou my ſonne Marcus/ a yere nowe hearynge Cratippus/ and that in Athenes muſte nedes habounde, in preceptes, and rules of phyloſophye/ bothe for the ſyngular authoritie of thy reder/ alſo of the cytie of Athenes/ wherof the one maye encreaſe the with lernynge/ the other with examples of good maner: not withſtandynge lyke as I to my profyte at all tymes dyd ioyne latyn tongue withe the greke/ and that not onely in philoſophye/ but alſo in exercyſe of oratory crafte/ I iudge the ſame to be done vpon thy parte/ ſo that thou mayſte be lyke experte in the facultie of bothe tongues. ¶ To the whiche purpoſe/ I as me thynkes haue brought great helpe to latyn men/ ſo that not onely ſuche as be rude of the greke tongue/ but alſo lerned/ may thynke them ſelfe to haue gotte ſomwhat bothe to perſuade as an oratoure/ alſo to diſpute as a philoſopher. wherfore thou ſhalte lerne of the prince of phyloſophers in this tyme/ and thou ſhatle lerne as longe as thou woll/ ſo longe thou arte bounde to wyll/ vnto thou ſhalt not repente howe moche thou doeſt preuayle in lernynge. But not withſtandynge thou redynge my workes/ not greatly differente from ariſtotles ſchole/ for I woll folowe bothe Socrates and Platos ſcole: but as touchynge thoſe thynges folowe thyne owne iudgment/ for I woll not let the. ¶ Thou ſhalt make latyn tongue doutleſſe in redynge of my workes more plenteous. Nor I wolde that thou ſhuldes eſteme this to be ſayd of arrogaunce/ for I gyuynge place to many in the knowlege of phyloſophye,

(quod eſt oratoris propriū) apte, diſtincte, ornate dicere (quoniam in eo ſtudio ætatem, cōſumpſimus) ſi id mihi aſſumo, uideor id meo iure quod ammodo uendicare. Quamobrem magnopere te horror mi Cicero, ut non ſolum orationes meas, ſed hos etiam de philoſophia libros, qu iſe id illis ferè aquarmm ſtudioſe legas. Vis enim dicēdi maior eſt in illis, ſed hoc quoq; colendū eſt æquabile, & temperatū orationis genus. Et id quidem nemini græcarum uideo adhuc contigiſſe, ut idem in utroq; genere laboraret, ſequereturq;, & illud forenſe dicendi, & hoc quietum diſputandi genus. Niſi forte Demetrius Phaleræus in hoc numero haberi poteſt, diſputator ſubtulis, orator parum uehemens, dulcis tamen, ut Theopheraſti diſcipulum poſſis agnoſcere. Nos aūt quantū in utroq; profecerimus, aliorū ſit iudiciū. Vtrunq; certe ſecuti ſumus. Equidē & Platonē exiſtimo, ſi gemus id forenſe dicēdi tractare noluiſſet, grauiſsime & copioſiſsime potuiſſe dicere. Et Demoſthenem, ſi illa quæ à Platone didicerat, tenuiſſet, & pronūciare noluiſſet, ornate ſplēdideq; facere potuiſſet. Eodemq; modo de Ariſtotile & Iſocrate iudicio, quorū uterq; ſuo ſtudio delectatus, cōtēpſit alterū. Sed cū ſtatuiſſē aliquid hoc tēpore ad te ſcribere, & multa poſt hac, ab eo exordiri uolui maxime, qđ et ætati tue eſſet aptiſſimū, et authoritati meæ grauiſſimū. Nā cū multa ſint in philoſophia & grauia, & utilia, accurate, copioſeq; à philoſophis diſputata, latiſsime patere uidētur ea, que de officijs tradita ab illis & precepta ſunt.

that thyng that is appropred vnto an oratour/with comly geſture/diſtynct pronunciacyon, with ordynate eloquẽce to make an oracyon / becauſe I haue beſtowed my tyme in that maner of ſtudy:yf I take that vpon me/me ſemeth that I chalenge it in a maner as myne owne ryght. wherfore I exhorte the greatlye my ſonne Cicero / that thou rede ſtudyouſly not onely myne oracyons / but alſo theſe bookes of phyloſophye / whiche do compare them ſelfe almoſte with them / for more vehemence of perſwadynge is in them : But yet this maner of ſpeache moderate and temperate is to be exercyſed. And I ſe that this hath chãſed to none of the grekes hytherto/that the ſame man ſhulde laboure in bothe kyndes/that he ſhulde obtayne bothe that maner of perſuadynge/alſo this quyet maner of diſputacion. Excepte peraduenture Demetrius Phalerius in this nombre maye be takẽ / a ſubtyle phyloſopher/and an oratour nothynge quycke/ all be it pleſaunt/ ſo that thou maye knowe hym for a ſcholer of. Theophraſtus. But howe moche I haue profyted in bothe, lette other men iudge. Surely I had bothe. I thynke verely that Plato if he wolde haue practyſed this maner of perſuadynge/he myght haue perſuaded with ſynguler grauytie and copyouſlye. And Demoſthenes if he had kept thoſe thynges that he lerned of Plato and wolde haue pronounced them/ he myght haue done them eloquenly and freſſhly. And I iudge in like maner of Ariſtotle and Iſocrates/of whome eyther delytynge in his owne ſtudye diſpyſed the other. But for as moche as I determyned ſomwhat to wryte this tyme to the and many thynges here after / I wolde begyn ſpecially of that thinge whiche is moſte mete for thyne age / alſo to my dignite mooſte agreynge. For thoughe many thynges in philoſophy bothe of grauyte & profyte/dyligently and habundantly of phyloſophers be diſputed/ moſte playnly thoſe thynges ſeme to be euydent/ whiche of offyce and good maner be gyue and precept of them.

Nullæ enim uitæ pars neq; publicis, neq; priuatis, neq; forenſibus, neq; domeſticis in rebus, neq; ſi tecum agas ꝗd, neq; ſi cũ altero cõtrahas, uacare officio poteſt. In eoq; excolẽdo ſita uitæ eſt honeſtas omnis, & in negligendo turpitudo. Atq; hæc quidem quæſtio comunis eſt omniũ philoſophorũ. Quis eſt enim ꝗ nullis officij præceptis tradendis, philoſophũ ſe audeo dicere. Sed ſunt nõ nulle diſciplinæ, quæ propoſitis malorum & bonorũ finibus, officiũ omne ꝑuertunt. Nam qui ſummum bonum ſic inſtituit, ut nihil habeat cum uirtute coniunctum, idq; ſuis commodis, non honeſtate metitur, hic ſi ſibi ipſe conſentiat, & non interdum naturæ bonitate uincatur, ſit, ut neq; amicitiam colere poſſit, nec iuſticiam, nec liberalitatem. Fortis uero dolorem, ſummum malum iudicans, aut temperans, uoluptatem ſummum bonũ ſtatuens, eſſe certe nullo modo poteſt. Quæ quanquam ita ſint in promptu, ut res diſputatione non egeat, ſunt tamen à nobis alio loco diſputata. He diſciplinæ igitur, ſi ſibi cõſentaneæ eſſe uelint, de officio nihil queant dicere, neq; ulla officij præcepta firma, ſtabilia, coniuncta naturæ tradi poſſunt, niſi aut ab his ꝗ ſolam uirtutem, aut ab his qui maxime honeſtatem propter ſe dicant expetendam. Itaq; propria eſt ea præceptio Stoicorum & Academicorum, & Peripatecorum, quoniam Ariſtonis, Pyrrhonis & Herilli iampridem exploſa ſententia eſt, qui tamen haberent ius ſuum diſputandi de officio, ſi rerum aliquem delectum reliquiſſent, ut officij inuentionem aditus eſſet.

For no parte of mannes lyfe/neyther in cauſes commune nor priuate/nor touchyng the lawe/nor houſhold/ nor if thou be occupyed alone/nor if thou bargayne with an other man maye be without good maner. And in the exercyſe therof ſtandeth all honeſty of this lyfe/and in diſpyſynge therof reproche. And this is a cõmune queſtyon of all phyloſophers: who is he that in gyuynge of no preceptes dare call hym ſelfe a phyloſopher?

But there be many diſcypplynes / whiche the endes of myſeryes and felycitees purpoſed do peruert all offyce and good maner / for he that ſo defyneth the perfyte felycyte of man / that it maye haue nothynge ioyned with vertue / and meaſureth that after his owne pleaſure and not after honeſty. Thoughe that a man ſtande well in his owne conceyte/and woll not be ruled ſomtyme after the goodneſſe of nature / it foloweth that he canne neyther exercyſe amytie and loue/nor iuſtyce nor lyberalytie. He can not be accompted a man of forte that iudgeth payne and grefe to be moſt myſery/ nor a man of temperaunce that decreeth pleaſure to be perfyte felycite/in no maner of condycion. whiche thynges thoughe they be open/ſo that they nede no diſputacion/ yet they be diſputed of me in an other place. Therfore theſe diſcypplynes thoughe they woll aſſente to theym ſelfe / yet they can not diſpute of offyce and honeſty/ nor any preceptes of offyce and honeſty/ ſtable/ forme/ and agreynge to nature may be gyue or taught of them/, excepte of ſuche whiche do affyrme that vertue onely/ or of ſuche that affyrme honeſty ſpecially for it ſelfe is to be deſyred. And ſo this is the propre precepte of ſuche as folowe Socrates/ Plato/and Aryſtotle. For the opynyõ of Aryſtotle / Pyrrho / and Hercules was condempned longe agoo/ whiche not withſtandynge ſhulde haue had theyr lybertie to diſpute of offyce/if they had lefte [illegible] diſtynction/ſo that a waye myght haue ben had to the inuencyon of offyce.

Sequimur igitur hoc quidem tempore, & in hac quæſtione potiſſimus Stoicos, non ut interprætes, ſed ut ſolemus, è fōtibus eorum, iudicio, arbitrioq; noſtro (quantum quoquo modo uidebitur) hauriemus.

Quid Officium.

PLacet igitur (quoniã omnis diſputatio de officio futura eſt) ante definere quid ſit officium, quod à Panætio prætermiſſum eſſe miror. Omnis enim, quæ à ratione ſuſcipitur de aliqua re, inſtitutio debet à definitione proficiſci, ut intelligatur quid ſit id, de quo diſputetur.

Diuiſio Officij.

OMnis de Officio duplex eſt quæſtio. Vnum genus eſt quod pertinet ad finē bonorum. Alterum q̃d poſitum eſt in præceptis, quibus in omnes partes uſus uitæ confirmari poſſit. Superioris generis huiuſmodi exempla ſunt. Oĩane officia perfecta ſint, nunquid officium aliud alio maius ſit? & quæ ſunt eiuſdem generis. Quorum autē Officiorum præcepta traduntur, ea quanq̃ pertinent ad finem bonorũ, tamen id minus apparet, quia magis ad inſtitutionem uitæ comunis ſpectare uidentur, de quibus eſt nobis his libris explicandum. Atq; etiam alia diuiſio eſt officij. Nam & medium quoddam officium dicitur, & perfectum. Perfectum autem Officium (rectũ opinor) uocemus, quod Græci κατορθωμα appellant. Hoc autem commune officium uocant, atq; ea ſic definiunt, ut rectum quod ſit, id perfectum officium eſſe definiant. Medium autem Officium eſſe dicunt,

¶Therfoꝛe I folowe at this tyme and in this queſtyon in eſpeſyall Socrates ſchole/not as an interpꝛeter/but as I am wont/ I dꝛawe out of theyꝛ fountaynes after their iudgement and after myne owne arbytrement/as ferfoꝛthe as in any wyſe me ſemeth to be dꝛawen.

¶what offyce is.

Therfoꝛe it pleaſeth me bycauſe all my diſputacyon ſhall be of offyce and honeſty/ befoꝛe to defyne what is offyce/whiche to be ouerſcaped of Panecus I meruayle. Foꝛ euery grounde oꝛ purpoſe that is take by reaſon of any maner of thynge muſt nedes ryſe of his defynicion/ſo that that thynge may be perceyued what it is wherof diſputacion is had.

¶Deuydynge of offyces.

Euery queſtyon of offyce is two maner/one is that whiche pertayneth to the defynicion of felycities/ that other that is ſette in pꝛeceptes/ by the whiche the uſe of this lyfe maye in euery parte be ſtablyſhed. Of the ferther maner this examples oꝛ queſtyons be/ whether all offyces be perfyte/and whether one offyce is ſurmountynge an other/alſo whiche offyces be of the ſame maner. Of ſuche offyces wherof pꝛeceptes be gyuen/all be it they pertayne to the ende of felycitie/ notwithſtandynge it dothe not appere/foꝛ they ſeme rather to pertayne to the commune oꝛdꝛe of mannes lyfe: Of the whiche thinges I muſte playnly declare in theſe bookes. And ferther there is an other diſtynction of offyces/foꝛ there is called a meane offyce oꝛ inytiall/alſo a perfyte offyce. The perfyte offyce (as I iudge) we may call the ryght oꝛ perfyte offyce whiche the grekes call Catoꝛthoma. They call that comune offyce that falleth vnder pꝛeceptes: and this wyſe they defyne them/ that that thinge that is well & iuſtly done they determyne it to be a pepfyte offyce. They call that a meane offyce

quod cur factum ſit, ratio probabilis reddi poßit?

TRiplex igitur eſt, ut Panætio uidetur, conſilij capiendi deliberatio. Nam honeſtum ne factu ſit, an turpe dubitant, id quod in deliberationem cadit, in quo conſyderando ſæpe animi in contrarias ſententias diſtrahuntur. Tum autem aut inquirunt, aut conſultant, ad uitæ commoditatẽ, iucunditatemq́, ad facultates rerum atq́ copias, ad opes, ad potentiam, quibus & ſe poßint iuuare & ſuos, conducat id, nec ne, de quo deliberant, quæ deliberatio omnis in rationem utilitatis cadit. Tertium dubitandi genus eſt, cum pugnare uidetur cum honeſto, id quod uidetur utile. Cum enim utilitas ad ſe rapere, honeſtas contra reuocare ad ſe uidetur, ſit ut diſtrahatur deliberando animus, afferatq́ ancipitem curam cogitandi. Hac diuiſione cum præterire aliquid maximum uitium in diuidendo ſit, duo prætermiſſa ſũt. Nec enim ſolum utrum honeſtum, an turpe ſit, deliberari ſolet, ſed etiam duobus propoſitis honeſtis, utrum honeſtius. Itemq́ duobus propoſitis utilibus, utrum utilius. Ita quam ille triplicem putauit eſſe rationem, in quinq́ partes diſtribui debere reperitur. Primum eſt igitur de honeſto, ſed dupliciter, tum pari ratione de utili, poſt de comparatione eorum diſſerendum.

HONESTVM A NATVRA inueſtigat, cuius ſemina hominibus ingenita.

of the whiche a ſubſtancyall reaſon maye be made wherof it is done.

¶ What reaſon of deliberacion is to be made in the election of thynges.

THerfore there is thre maners (as Panetiꝰ iudgeth) of delyberacion in takyng counſayle. For they dout whether it be honeſt to be done that falleth in to deliberacyon/ or diſhoneſt: in coſyderacion wherof the myndes of men be toſſed in to contraryous opynyons. Forther they enquere or take counſayle to the reſpecte of theyr profyte and pleaſure of this lyfe/ alſo to theyr ſubſtaunce/ haboundaunce and rycheſſe of their goodes / to power and rule by meanes wherof they maye aduaunce them ſelfe/ alſo theyrs. And whether that thynge wherof they take counſayle be profytable or no / whiche deliberacion holly reſteth in yͤ reſpect of profyt. The third maner of doubtfulneſſe is whan that thynge ſemeth to be repugnaunt with honeſtye, that ſemeth profytable. For where as profyte ſemeth to plucke and catche to hym ſelfe, honeſtie on the contrary parte ſemeth to reuoke and reuerſe ſuche thynges / and ſo it chaunſeth the mynde in takynge deliberacyon is toſſed to and fro/ and bryngeth a perplexe care and thought of fore caſt. In this diuiſyõ where as it is a great ouerſyght to ouerpaſſe any thinge in diuiſyon / two thynges be ouerſlypped. Nor alonelye it is not the vſe to take counſayle whether it be honeſt or reproche that we take aduyſement of / but two poyntes of honeſtye purpoſed / whether of them is more honeſt / lykewyſe two profytes qualifyed togyther / whether is more profytable? And ſo that reaſon that Panetius iudged to be but thre in diuyſyon/ is founde to be diſtribute in to fyue particyons.

¶ The fyrſt is of honeſtye/ but after two maner of wayes. Seconde after lyke reaſon of profyte. Thyrde we muſt diſpute of the comparyſon of theſe two togyther.

¶ Tully ſeketh out honeſtye of nature, whoſe ſedes be gyuen of nature to men.

Principio generi animantiũoĩ, eſt à natura tributũ, ut ſe, uitam, corpuſq; tueatur, declinetq; ea, quæ nocitura uideantur, omnia quæ ſunt ad uidendum neceſſaria, inquirat, & paret, ut paſtum, ut latibula, ut alia eiuſdem generis. Cõmune aũt animãtium omniũ, eſt cõiunctionis appetitus, procreandi cauſa, & cura quedam eorũ quæ ꝓcreata ſunt. Sed inter hominẽ & belluam hoc maxime intereſt, q̃d hæc tantũ quantũ ſenſu mouetur, ad id ſolum quod adeſt, quodq; preſens eſt, ſe accõmodat, paulũ admodum ſentiens præteritum aut futurũ. Homo aũt q̃ rationis eſt particeps, per quam conſequentia cernit, principia & cauſas rerum uidet, earũq; progreſſus, & quaſi anteceſſiones, non ignorat, ſimilitudines comparat, rebuſq; præſentibus adiungit, atq; annectit futuras, facile totius uitæ curſum uidet, ad eamq; degenda præparat res neceſſarias. Eademq; natura, ui rationis hominum cõciliat homini, & ad oratiõis, & ad uitæ ſocietatẽ. Ingeneratq; in primis præcipuum quendã amorem in eos, qui procreati ſunt, impellitq; ut hominum cœtus & celebrari inter ſe, & ſibi obedire uelit, ob eaſq; cauſas ſtudeat parare ea quæ ſuppeditẽt ad cultũ, & ad uictũ, nec ſibi ſoli, ſed coniungi, liberis, cæteriſq; quos charos habeat, tueriq; debeat. Quæ cura exuſcitat etiam animos, & maiores ad rem gerendam facit. In primis hominis eſt propria ueri inquiſitio, atq; inueſtigatio. Itaq; cum ſumus neceſſarijs negocijs, curiſq; uacui, tum auemus aliquid uidere, audire, diſcere. Cognitionemq; rerum aut occultatum,

Of orygynall nature it is appropred to all kynde of creatures that he woll defende hym ſelfe/his lyfe/ and his body/and to auoyde ſuch thynges that ſemeth to be hurtfull to hym/and dothe ſeke and prepare all thynges neceſſary for his lyuynge/as fode/lodgyng/and other thynge of lyke maner. It is a generall inſtynction of all creatures to company togythers bycauſe of generacyon/ and a dyligent ouerſyght of their poſterite. But bytwene man and beeſt this a ſpecyall diſtynction/that a beeſt is moued onely by ſenſualytie/and to that thynge that is at hande onely and preſent he applyeth hym ſelfe/very lytell perceyuynge a thynge paſt or to come. But man that hath the vſe of reaſon wherby he ſeeth that thynges that folowe/he ſeeth the heed and the foote of cauſes/and the proceſſe of the ſame/& as preſydentes he knoweth them he conferreth ſymplitudes /and he adioyneth and anexeth to thynges nowe preſent ſuche as be to come. So he ſeeth ſoone the courſe of mannes lyfe / and prepareth thynges neceſſary to contynue the ſame lyfe.

And the ſame inſtynction of nature dothe allure one man to another/bothe to the company of conuerſacyon and lyuynge to gyther: and it engendreth in eſpecyall a ſynguler loue towarde ſuche as be of that generacyon/ alſo moueth that companye of men wylleth to be kepte togyther / and to be content to obeye one an other. And for theſe cauſes ſtudye to prepare thynges neceſſarye for clothynge and fode / not for them ſelfe onely / but for theyr wyues/chyldren/and other whome they loue and oughte to defende and kepe. Whiche dylygence dothe arrecte hertes and maketh them more encouraged to playe the men. Pryncypallye the enquirye and ſearche of trouthe is appropried vnto man. And ſo whan we be voyde of neceſſarye buſyneſſe and charges/ thanne we deſyre to ſe / heare / and learne. And we iudge the knowledge of thynges eyther ſecrete/

aut admirabilium, ad bene beateq; uidendum neceſſaria ducimus. Ex quo intelligitur, quod uerum, ſimplex, ſyncerumq; ſit, id eſſe natura hominis aptiſſimum. Huic ueri uidendi cupiditati adiuncta eſt appetitio quædam principatus ut nemini parere, animus bene informatus à natura uelit, niſi præcipienti, aut docenti, aut utilitatis cauſa iuſte & legittime imperanti, ex quo animi magnitudo exiſtit, humanorumq; rerum contemptio. Nec uero illa parua uis naturæ eſt rationiſq;, quod unum hoc animal ſentit quid ſit ordo, qd ſit quod deceat in factis dictiſq;, quid ſit modus. Itaq; eorũ ipſorum quæ aſpectu ſentiuntur, nullum aliud animal pulchritudinem, uenuſtatem, conuenientiam partium ſentit Quam ſimilitudinem natura, ratioq; ab oculis ad animum transferens, multo magis pulchritudinem, conſtantiam, ordinem in conſilijs, factiſq; conſeruanda putat, cauetq; ne quid indecore, effœminatiue faciat, tum in omnibus, & opinionibus, & factis, ne quid libidinoſe aut faciat, aut cogitet. Quibus ex rebus conflatur & efficitur id, quod quærimus honeſtum, quod etiam ſi nobilitatum non ſit, tamen honeſtum ſit, quodq; uere dicimus, etiam ſi à nullo laudetur, laudabile eſſe natura. Formam quidem ipſam Marce fili, & tãquã faciem honeſti uides, quæ ſi oculis cerneretur, mirabiles amores, ut ait Plato, citaret ſapientiæ.

DIVIDIT HONESTVM ſingulis uirtutibus proprium munus aſsignat.

or meruaylous/to be neceſſary to lyue honeſtly and vertuouſly. wherby is perceyued that that thyng whiche is trewe/playne/and pure/that thynge is to the nature of man moſte agreynge. To this deſyre to ſe the truthe is adioyned a certayne appetyte to beare a rule/ſo that the mynde of man well faſſyoned naturally woll obey to no man/but to hym that doth inſtruct hym or dothe teache hym/or els to hym that maye cõmaunde hym bycauſe of his profyte/and that by right and lawe/wherof forſe & valyauntneſſe of herte doth ryſe and the contempte of worldly vanyte. Nor it is no lytell power of nature and reaſon that one creature man perceyueth what is ordre/what becometh a man/what maner is in dedes and wordes. And ſo there is none other creature dothe perceyue any of theſe thynges whiche be knowen by ſyght/but onely man, as beautie/amyable fayreneſſe/due proporcyon of all partes of the body whiche ſymylitude nature and reaſon tranſlatyng fro the bodyly eyen to the ſoule/moche more nature and reaſon iudgeth pulchritude/conſtance/and ordre to be obſerued in coũſayles and dedes and regardes warely that he do nothynge vnſyttyng or wantonly/alſo that he neyther do nor thynke in all his opynions & dedes laſciuyous or vycyouſly. Of the which conſyderacions this honeſty that we ſeke for is brought togyther and made perfyte/whiche honeſty though it be not aduaũſed/yet it is honeſty/and that we ſay of truthe though it be cõmended of no mã/yet it is laudable of him ſelfe or by nature. Now thou ſeeſt my ſonne Marcus the diſcrypcion and forme/and as a man wolde ſay/the very phiſnomy and face of honeſty/whiche if it myght be ſene with theſe bodily eyen/it wolde allure (as Plato ſaythe) meruayllouſly loues and deſyres of ſapyence & wyſdome.

¶ Of the foure cardynall vertues/wherof the offyce and honeſty of the cõmen lyfe iſſueth/as Prudence/Juſtyce/forſe/and Temperaũce/and of the nature and effecte of euery one of them.

SEd omne quod honeſtum eſt, id quatuor partiũ oritur ex aliqua. Aut enim in perſpiciẽtia ueri ſolertiaq; uerſatur aut in hominũ ſocietate tuenda, tribuendo quod ſuum eſt cuiq;, & rerũ contractarũ fide aut in animi excelſi, atq; inuicti magnitudine, ac robore, aut in omniũ quæ fiũt, quæq; dicũtur ordine & modo, in quo ineſt modeſtia & tẽperãtia. Quæ quatuor quãquam inter ſe colligata atq; implicita ſunt, tamen ex ſingulis certa officiorũ genera naſcuntur, uelut ex ea parte, quæ primo deſcripta eſt (in qua ſapientiam & prudentiam ponimus) ineſt indagatio atq; inuentio ueri, eiuſq; uirtutis hoc munus eſt proprium. Vt enim quiſq; maxime perſpicit q̃d in re quaq; uerißimum ſit, quiq; & acutiſſime & celerime poteſt & uidere, & explicare rationem, is prudentißimus & ſapientißimus rite haberi ſolet. Quocirca huic quaſi materia quam tractet, & in qua uerſetur, ſubiecta eſt ueritas. Reliquis autem tribus neceßitates propoſitæ ſunt ad eas res parãdas, tuendaſq;, quibus actio uitæ continetur, ut ſocietas hominũ, cõiunctioq; ſeruetur, & animi excellentia magnitudoq; tum in augendis opibus utilitatibuſq; & ſibi & ſuis comparandis, tum multo magis in his ipſis deſpiciendas eluceat. Ordo autẽ & cõſtantia & moderatio, & ea quæ ſunt his ſimilia, uerſantur in eo genere, ad quod adhibẽda eſt quædam actio, nõ ſolũ mẽtis agitatio. His enim rebus quæ tractantur in uita, modũ quẽndam adhibentes & ordinẽ, honeſtatẽ & decus conſeruabimus.

PRVDENTIA.

BUt euery thynge that is honeſt/it ryſeth oꝛigynally of foure partes/foꝛ eyther it is exercyſed in ſeyng and knowlege of the truthe/oꝛ els in kepynge of vnyte bytwene man and man/gyuynge to euery man that is his owne/ and in kepynge trewe truthe and pꝛomeſſe in bargaynynge/oꝛ eles in the boldneſſe of an hye and valyaunt ſtomacke/oꝛ els in the oꝛdꝛe and meaſure of all thynges that be doone and ſayde/in the whiche reſteth temperaunce and meaſure. whiche foure though they be vnyte and knytte togyther/and lynked and cheyned/ yet of euery one of them iſſueth out certayne kyndes of honeſtyes/as in example of that parte whiche was fyrſte deſcrybed/in the whiche we ſet ſapyence and pꝛudence.

¶There is a ſerche ⁊ a tryeng out of the truthe/and this is an offyce appꝛopꝛed to this vertue/that the moꝛe perfytely a man dothe perceyue what is moſte trewe in any maner of thynge/ and he that moſte ſharpely and ſoneſt can ſe and expꝛeſſe his reaſon/he is wonte to be take moſt pꝛudent and wyſe. wherfoꝛe to this pꝛudence truthe is ſubiecte as a grou͞de and mater wherof he may entreate and in the whiche he is exercyſed. As touchyng the other thꝛe partes there be neceſſaryes appoynted/to pꝛepare ſuche thynges/and to defende them/in the which is compꝛiſed the exercyſe of this lyfe/ſo that company of men may be kept togyther/alſo the valyau͞ce and boldneſſe of herte/ alſo encreaſyng of goodes ⁊ pꝛofytes/alſo pꝛouydyng foꝛ the͞ ſelfe and foꝛ theirs ye ⁊ moche rather foꝛce ⁊ manhode dothe euydent apere in diſpyſyng of richeſſe. Oꝛdꝛe and conſtaunce/temperaunce ⁊ meaſure ⁊ ſuche other as be lyke to the͞ be practyſed in this maner/to the which a certayne exercyſe I dede muſt be gyue, ⁊ not onely the exercyſe of the mynde: Wherfoꝛe we exhibetynge to theſe thynges which be tꝛeated of in this lyfe a certayne temperau͞ce and oꝛdꝛe/ſhal kepe ⁊ obſerue honeſty ⁊ woꝛſhyp:

¶Of pꝛudence the chefe pꝛinceſſe of all vertue/ and what is to be fled in it/and what is to be folowed.

Ex quatuor autem locis in quos honeſti naturã, uimq; diuiſimus, primus ille qui in ueri cognitione conſiſtit, maxime naturam atingit humanam. Omnes enim trahimur & ducimur ad cognitionis & ſcientiæ cupiditatẽ, in qua excellere pulchrũ putamus, labi autem & errare, neſcire, & decipi, & malum & turpe ducimus. In hoc genere naturali, & honeſto duo uitia uitanda ſunt. Vnũ, ne incognita ꝓ cognitis habeamus, hiſq; temere aſſentiamur. Quod uitiũ effugere qui uolet (omnes autem uelle debent) adhibebit ad conſyderãdas res & tempus, & diligẽtiam. Alterum eſt uitium, quod quidam nimis magnum ſtudium, multamq; operã in res obſcuras, atq; difficiles conferunt, eaſdemq; non neceſſarias. Quibus uitijs declinatis, quod in rebus honeſtis, & cognitione dignis, opere, curæq; ponetur, id iure laudabitur, ut in aſtrologia [illegible] Sulpitium audiuimus, in Geometris. Sextũ Pompeium, ipſi cognouimus, multis in Dialecticis, plures in Iure ciuili. Quæ omnes artes in ueri inueſtigatione uerſantur, cuius ſtudio à rebus agendis abduci cõtra officiũ eſt. Virtutis enim laus omnis in actione cõſiſtit, à qua tamen ſæpe fit intermiſſio multiq; dantur ad ſtudia reditus, tum agitatio mẽtis, quæ nunq̃ acquieſcit, poteſt nos in ſtudijs cogitationis, etiam ſine opera noſtra cõtinere. Omnis autẽ cogitatio, motuſq; animi, aut ĩ conſilijs capiendis de rebus honeſtis, & pertinentibus ad bene beatiq; uiuendũ, aut in ſtudijs ſcientiæ cognitioniſq; uerſabitur. Hac de primo quidem officij fonte diximus.

OF this foure places wherin we haue deuyded the nature ⁊ the vertue of honeſty/ the fyrſte place is that whiche ſtandeth in ſtudy of truthe in eſpeciall dothe pertayne to the nature/ for we be all drawen and led to the deſyre of knowlege and connynge/ in the which to excell we repute it a goodly vertue. But to ſlyppe and erre/ to be ignoraunt ⁊ to be diſceyued/ we iudge it to be naughty and ſhamfull. In this maner naturall and honeſt two vyces are to be auoyded. One is/ that we ſhall not take thynges that we knowe not for thynges knowē/ and affyrme them folyſſhly: whiche vyce he that wyll auoyde (for euery man ought ſo to do) he ſhall gyue tyme and dilygence to conſydre the mater. An other vyce is this/ that ſome men beſtowe very great ſtudye and moche laboure in thynges obſcure and harde to vnderſtande, and ſuche thynges as be not neceſſary. whiche vyces auoyded/ that dylygence and cyrcumſpection that ſhall be beſtowed in thynges honeſt and worthy to be knowen/ that of ryght ſhall be laudable. As in aſtrologye I haue harde Caius Sulpicius. In aſtrologye I dyd knowe Sextus Pompeius/ and many in logyke/ and mo in lawe ciuile. which ſcyence vnyuerſall be practyſed in the ſerche of truthe/ thorowe the ſtudye wherof it is agaynſt honeſty to be plucked fro mynyſtracion of the cōmen welthe/ for all the laude of vertue ſtandeth in eternall exercyſe/ fro the whiche not withſtandynge a ſterte or pauſe maye be made. And many recourſes be made to ſtudy/ alſo occupyeng of the mynde/ whiche neuer lyeth ſtyll/ may contynewe as in ſtudy of herte and mynde/ ye and without laboure of oure body. For all exercyſe of the mynde is occupyed in takynge delyberacion of honeſt thynges and appertaynynge to lyue well and parfytly/ or els in the ſtudy of connynge and knowlege.

Thus moche I haue ſpoken of
the fyrſte fountayne of
offyce and honeſty.

IVSTITIA.

De tribuū autē reliquis altißime patet ea ratio, qua ſocietas hominum inter ipſos, & uitæ quaſi cōmunitas cōtinetur. Cuius partes duæ ſūt. Iuſtitia, in qua uirtutis ſplendor eſt maximus, ex qua boni uiri nominātur, & huic eſt coniuncta beneficentia, quā eandem uel benignitatem, uel liberalitatē appellari licet. Sed iuſtitiæ primū munus eſt, ut ne cui quis noceat, niſi laceßitus iniuria, deinde ut cōmunibus pro cōmunibus utatur, priuatis autē ut ſuis. Sunt autem priuata natura nulla, ſed aut ueteri occupatione, ut qui quōdam in uacua uenerūt, aut uictoria, ut qui bello potiti ſunt, aut lege, aut pactione, conditione, ſorte. Ex quo fit, ut ager Arpinas Arpinatū dicatur, Tuſculanus Tuſculanorum. Similiſq; eſt priuatarum poſſeßionum deſcriptio. Ex quo, quia ſuum cuiuſq; fit eorum, quæ natura fuerant communia, quod cuiq; obtigit, id quiſque teneat. E quo ſi quis ſibi plus appetet, uiolabit ius humanæ ſocietatis. Sed quoniam (ut præclare ſcriptum eſt à Platone) non nobis ſolum nati ſumus, ortuſq; noſtri partem patria uendicat, partem amici, atq; ut placet Stoicis, quæ in terris gignuntur, ad uſum hominum omnia, creari, homines autem hominū cauſa eſſe generatos, ut ipſi inter ſe alij alijs prodeſſe poſſent. In hoc naturam debemus ducem ſequi, & cōmunes utilitates in mediū adferre mutatione officiorū, dando accipiendoq;, tum artibus, tum opera, tum facultatibus deuincere hominum inter homines ſocietatem.

¶ Of Juſtyce and the defynicon of the ſame.

OF the thre partes remaynynge/ this reaſon is euydent open/ in the whiche the company of men togythers/ and as a brotherhed of men is continued: whoſe partes be theſe two/ Juſtice wherin is the moſte prayſe of vertue wherof good mē be named. And to this iuſtyce is annexed bountyfulneſſe/ whiche ſame we may call gentylneſſe or lyberalyte. But the fyrſt poynte of iuſtyce is that no man ſhall hurte an other/ except he be prouoked by iniurye. Seconde that a man ſhall vſe thynges that be cōmen as cōmen thynges/ that be priuate as priuate and his owne. But priuate by nature be no thynges/ but eyther by olde occupyenge and holde/ as the groundes that are growen waſte/ or els that be got by victorye/ as ſuch that haue ben wonne in batayle/ or by courſe of the lawe/ or by bargayne or couenaunt. wherof it foloweth that the londe of Arpinas is called Arpinatium of the inhabytauntes: the countrey of Tuſculan is called Tuſculanum. And a lyke definicion is of all priuate poſſeſſyons/ by reaſon wherof bycauſe that thynge that is made priuate to euery man of thoſe thynges that were before cōmen. That thynge that chaunſeth to any man/ euery man taketh that as his owne priuate/ if ſo be any man couet more than that/ he ſhall breake the lawe of the comcord of man. But for as moche as it is notably wrytten of Plato/ we be not onely borne for our owne vſe/ but our natyue cōtrey doth chalenge a parte of our byrthe/ a parte our frendes. And as it is the opynion of Socrates ſcole/ all thyng that is engendred in erthe is procreate to the vſe of men here mortall. And men be generate bycauſe of other men/ to thentent one man may helpe an other. And in this behalfe we be bounde to folowe nature as a gyde/ ⁊ mynyſtre profites indifferētly one to another by frēdly turnes ſhewed/ as in gyuyng and takynge one to an other. Ferther to bynde by oure handecraftes and dylygence and by expenſes lyberall/ that companye ⁊ felowſhyp may be kepte togythers.

FVNDAMENTA IVSTItiæ quæ ſint.

Fundamẽtum autem iuſticiæ eſt fides, id eſt dictorum conuentorumq́; conſtantia, & ueritas. Ex quo quanquã hoc uidebitur fortaſſe cuipiã durius, tamen audeamus imitari Stoicos, q́ ſtudioſe exquirũt unde uerba ſint ducta, credamusq́;, quia fiat quod dictũ eſt, appellatum fidem.

DVO GENERA INIVSTITIÆ.

Sed iniuſtitiæ duo genera ſũt. Vnum eorũ qui inferũt. Alterũ eorũ qui ab his quibus infertur, ſi poſſint, non propulſant iniuriam. Nam qui iniuſte impetũ in quẽpiam facit, aut ira, aut aliqua perturbatione incitatus, is quaſi manus uiolenter uidetur adferre ſocio. Qui autẽ non defendit, nec obſiſtit, ſi poteſt, iniuriæ, tam eſt in uitio, quam ſi parentes aut amicos, aut patriã deſerat. Atq; illæ quidem iniuriæ, quæ nocẽdi cauſa de induſtria inferuntur, ſæpe à metu proficiſcuntur, cum is, qui alteri nocere cogitat, timet ne niſi id fecerit, ipſe aliquo adficiatur incommodo. Maximam autẽ partem ad iniuriam faciendam, adgrediũtur nõnulli, ut adipiſcãtur ea quæ cõcupierũt, in quo uitio latiſſime patet auaritia. Expetuntur autem diuitiæ, cum ad uſus uitæ neceſſarios, tũ ad perfruẽdas uoluptates. In quibus autẽ maior eſt animus, in his pecuniæ cupiditas, ſpectat ad opes, & ad gratificandi facultatem, ut nuper M. Craſſus negabat ullã ſatis magnã pecuniã eſſe ei, q in Re. princeps uellet eſſe, cuius fructibus exercitũ alere nõ poſſet.

¶ Truthe is the foundacyon of iuſtyce by his ryght defynicion.

THe foundacion of iuſtyce is faythe/ that is to ſaye a conſtaunce and truthe of wordes and couenau̅tes. Wherfore though this defynicio̅ ſeme parauentures to any man more harde to vnderſta̅de/ not w̄ſtandyng I may be bolde to folow Socrates ſchole/ which ſtudiouſly ſought out wherof wordes be deducte/ and we maye iudge that fayth is called bycauſe that thyng which is ſayd is done.

¶ There be alſo two maner of iniuryes as of iuſtyce/ and wherof they come.

BUt there be two maners of iniuryes/ one is of ſuch that doth wro̅ge/ an other of ſuch that do not reſyſte iniury fro ſuche to whom iniury is done/ if they be of power. For he that dothe wrongfully iniurye to any man/ eyther moued by ire or any other paſſyo̅/ he ſemeth as a man wolde ſay to laye vyolent handes vpon his felowe. And he that defendeth not or reſyſteth (if he can) ſuche wronge/ he is in as great faute as though he had forſake his parentes or his frendes/ or his countrey. And ſuche wronges as be done of purpoſe for thentent to hurte any man/ many tymes they ryſe of drede/ as whan he that myndeth to hurte another man/ dredeth except he hurte an other he ſhall be hurte hym ſelfe. Many take vpon them the chefe cauſe to do iniurye for that entent they maye obtayne ſuche thynges as they haue couet/ in the which vyce euyde̅tly doth appere auaryce. For rycheſſes be deſyred bothe for the neceſſarye vſe of mannes lyfe/ alſo to folowe ſolace & pleaſures. And i ſuche me̅ as haue more couetous myndes/ the deſyre of money hath reſpecte to inordynate rycheſſe/ alſo to be ſene of power/ to do pleaſure for other: As of late Marcus Craſſus denyed that any ſomme of money was ſuffycient to a man that wolde be chefe ruler vpon the co̅mentye/ with whoſe reuenewes he were not able to kepe an armye.

Delectant etiã magnifici apparatus, uitæq; cultus cum elegantia & copia, quibus rebus effectum eſt, ut infinita pecuniæ cupiditas eſſet. Nec uero rei familiaris amplificatio, nemini nocens, uituperanda eſt. Maxime autem adducuntur plerique, ut eos iuſtitiæ capiat obliuio, cum in imperiorum, honorum, gloriæ ue cupiditatem inciderint. Quod enim eſt apud Enniũ, Nulla ſancta ſocietas, nec fides regni eſt. Id latius patet. Nam quicquid eiuſmodi eſt, inquo nõ poſſent plures excellere, in eo plerunq; fit tanta cõtentio, ut difficillimum ſit ſanctam ſeruare ſocietatem. Declarauit id modo temeritas C. Cæſaris, qui omnia iura diuina & humana peruertit propter eum, quẽ ſibi ipſe opinionis errore finxerat, principatũ. Eſt autem in hoc genere moleſtũ, quod in maximis animis, ſplendidiſsimisq; ingenijs pleriſque exiſtũt honoris, imperij, potẽtiæ, gloriæ cupiditates. Quo magis cauendum eſt, ne quid in eo genere peccetur.

DE DIFFERERENTIA INiuriarum.

SEd in omni iniuſticia permultum intereſt, utrum perturbatione aliqua animi, quæ plerũq; breuis eſt & ad tempus, an cõſulto, & cogitato fiat iniuria. Leuiora enim ſunt ea, quæ repentino aliquo motu accidũt, q̃ ea quæ meditata, & præparata inferuntur. Ac de inferenda quidem iniuria ſatis eſt dictum.

DE CAVSIS QVIBVS prætermittitur officium.

Alſo gorgeouſe aparayle is pleſaunt/and clene kepynge of thy body with clenly ſhyrte and ſhoze/ by the which meanes it is come to paſſe that infinyte couetyſe of moneye ſhould enſue. For the encreaſe of houſhoulde goodes/ ſo that it hurte no man to be reproched / but alwayes iniury is to be fledde. All men for the moſt parte are ſpecially ledde ſo that they are brought in obliuyon of iuſtyce/ after they fall ones to the ambicion of empyre/honour and glory. As Ennyus the poete ſaythe: There is no ſure felowſhyp nor ſure truſt in hyghe reygne/and that more euydet doth appere. For what ſo euer is of that faſſyon wherin many doth excell/in that rule & reigne comenly ſo great trauers is made that it is harde to kepe ſtable a cōmētis togythers. And that the mad hardyneſſe of Caius Ceſar dyd lately ſhewe, whiche dyd peruerte and turne vp ſo downe all lawes of god and man/for the ambicyon of that princypalitie whiche he vnder the falſe cloke of his mad opinyon dyd counterfayt. There is alſo a grefe in this maner/ that commenly appereth in valyaunt ſtomakes and excellente freſſhe wytes/ that is the auydious deſyres of honour/empyre/power/and glory, wherfore we muſt beware the rather that we do not offende in this behalfe.

One iniury is more tollerable than an other

BUt in euery iniury there is great differēce whether iniurye be done by any paſſyon of mynde / whiche comenly is but ſhorte and for a tyme/ or elles of purpoſe and by pretence. For thoſe thinges be more lightly to be taken whiche chaunce by anye ſodayne mocyon / than whiche be done by ymagynacion and forecaſt. And nowe it is ſuffycientely ſayd of iniurye that may be done.

Here Tully treateth wherof the ſeconde maner of iniurye doth ryſe.

PRætermittendæ autem defenſionis, deſerendiq; officii plures ſolent eſſe cauſæ. Nam aut inimicitias, aut laborem, aut ſūptus ſuſcipere nolūt, aut etiam negligentia, pigritia, inertia, aut ſuis ſtudijs, quibuſdamue occupationibus ſic impediuntur, ut eos quos tutari debeant, deſertos eſſe patiantur. Itaq; uidendum eſt, ne non ſatis ſit id, quod apud Platonē eſt in Philoſophos dictum, quod in ueri inueſtigatione uerſentur, quodq; ea, quæ pleriq; uehemēter expetant, de quibus inter ſe digladiari ſoleāt, contemnant & pro nihilo ducant, propterea iuſtos eſſe. Nam dum alterum iuſtitiæ genus adſequuntur, in inferenda (ne cui noceant) iniuria in alterum incidunt. Diſcendi enim ſtudio impediti, quos tueri debent deſerūt. Itaq; eos ne ad Remp. quidem acceſſuros putat niſi coactos. Aequius autem erat id uoluntate fieri. Nam hoc ipſum ita iuſtum eſt quod recte ſit, ſi eſt uoluntarium. Sunt etiam qui aut ſtudio rei familiaris tuendæ, aut odio quodam hominum, ſuum ſe negotium agere dicant, ne facere cuiquam uideantur iniuriam, qui dum altero iniuſtitiæ genere uacant, in alterum incurrunt. Deſerunt enim uitæ ſocietatem, quia nihil conferunt in eam ſtudij, nihil operæ, nihil facultatum.

Quoniam igitur duobus generibus iniuſtitiæ propoſitis, adiunximus cauſas utriuſq; generis, eaſq; res ante conſtituimus, quibus iuſticia cōtinetur, facile quod cuiuſq; temporis officium ſit, poterimus (niſi noſmetipſos ualde amabimus) iudicare. Eſt enim defficilis cura rerum alienarum,

MAny cauſes are wont to be of defence and of ouerſlyppynge of mannes offyce and dutie. For eyther men woll take no malyce/ labour/ or coſte/ or they are letted by neglygẽce/ ſlouthe/ dulneſſe/ or their affections/ or with ſome beſyneſſe/ ſo that they ſuffre them to be deſtytute whome they ought to defende. Therfore we muſt take hede that that thing that is ſpokẽ of Plato agaynſt phyloſophers be not ſuffyciently decyſed/ that they therfore be iuſt and good men bycauſe they regarde not/ beynge exercyſed in the inquyſycion of the truthe/ thoſe thynges that they cõmenly vehemently deſyre/ ⁊ wherof they are wonte to contende amonge them ſelfe/ and ſet nought by them/ as rycheſſe and power ⁊c. For whyles they get the one maner of iuſtyce/ in that they hurte no man in doyng iniury/ they fall in to the other contrary/ for they be letted by ſtudy of lernyng/ and forſake them whom they ought to defende. And ſo Plato iudgeth that phyloſophers or ſtudeyntes ſhall not come to rule in the cõmenty/ excepte they be compelled. It were more mete that it ſhulde be doone voluntarily/ for that ſelfe thynge ſtandeth ſo with iuſtyce that is ryghtfully done/ if it be voluntary. There be other men alſo that eyther for the entent they woll mayntayne their houſholde/ or els for ſome diſpleſure of other mẽ woll ſay that they go about their owne buſyneſſe/ ſo that they maye not be ſene to do iniury to any mã/ whiche where as they be voyde of one maner of iniury/ they fall ĩ to the other iniury. For they renoũce ẏ felowſhyp ⁊ vnyte of this lyfe/ for they bende not their mynde therupon/ nor beſtowe no dyligẽce therin/ nor any of their goodes therabout. Therfore for as moche as two maners of iniuryes be purpoſed/ we haue anſwered the cauſes of bothe kyndes. And I haue determyned and manyfeſted theſe thynges before/ wherin iuſtyce is cõtayned. we may ſone iudge what is the offyce of man at all tymes/ except we loue our ſelfe to moche.

It is an harde thynge to medle in other mennes cauſes.

quanquam Terentianus ille Chremes humani nihil a ſe alienum putat. Sed tamen quia magis ea percipimus, atq; ſentimus, quæ nobis ipſis aut proſpera, aut aduerſa eueniunt, quam illa quæ cæteris, quæ quaſi longo interuallo interiecto uidemus, aliter de illis, ac de nobis uideamus. Quocirca bene precipiũt qui uetant quicquam agere, quod dubites æquũ ſit an iniquum. Aequitas enim lucet ipſa per ſe, dubitatio autem cogitationem ſignificat iniuriæ.

DE OFFICIIS A circumſtantiis.

SEd incidunt ſæpe tempora, cum ea quæ maxime uidẽtur digna eſſe iuſto homine, eoq; quem uirum bonũ dicimus, commutantur, fiuntq; contraria, ut non reddere depoſitum, etiam ne furioſo promiſſum facere, queq; pertinent ad ueritatem, & ad fidem, ea negare interdũ, & non ſeruare ſit iuſtũ. Referri enim decet ad ea, quæ propoſui in principio fundamenta iuſticiæ. Primum, ut ne cui noceatur, deinde ut cõmuni utilitati ſeruiatur. Ea cum tempore cõmutantur. Commutatur officium, ut non ſemper ſit idẽ. Poteſt enim accidere promiſſũ aliquod, & conuentũ, ut id effici ſit inutile, uel ei, cui promiſſũ ſit, uel ei, ꝗ promiſerit. Nã ſi (ut in fabulis eſt) Neptunus quod Theſeo ꝓmiſerat non feciſſet, Theſeus filio Hippolyto non eſſet orbatus. Ex tribus enĩ optatis (ut ſcribitur) hoc erat tertiũ, qđ de Hippolyti interitu iratus optauit. Quo impetrato, in maximos luctus incidit. Nec promiſſa igitur ſeruãda ſũt hi,

though Chremes in Terẽce iudgeth that no poynte of humanyte fro hym is exyled: but yet for bycauſe we rather ꝑceyue ⁊ fele thoſe thynges that chaũce to our ſelfe (eyther proſperous or contrary) than thoſe that chaunce to other/ whiche we ſe as a thynge a ferre ſpace diſtante or fer of/ we iudge other wayes of them thã of our ſelfe. Wherfore they gyue good preceptes that forbyddeth a man to do any thynge that he douteth of/ whether it be ryght or wrong. Equyte and iuſtyce dothe clerely appere by hym ſelfe/ doubtfulneſſe ſignyfyeth ymagynacion of iniury and wronge.

¶ Of the offyces by reaſon of circumſtaunce.

BUt ofte tymes dothe chaunce whan ſuche thynges whiche ſemeth moſte ſyttynge in a iuſt man/ ⁊ ſuche a man as we call a good man/ be altred and be done contrary/ as in example/ to reſtore that a man is put in truſt with/ alſo not to make promeſſe to a madde man/ and ſomtyme to denye that whiche belongeth to the truthe/ and not to obſerue thoſe thynges that belongeth to promeſſe/ may be ryght and iuſtfull. For it is mete to be referred to ſuche foundacyons of iuſtyces/ wherof I purpoſed to ſpeake of in the begynnyng. Fyrſt that no hurte be done to any man. Seconde that men aplye them ſelfe to the cõmune welthe. Theſe thynges do chaunge as tyme/ ſo the offyce of man dothe altre/ ſo that it is not alwayes the ſame. It maye chaunce a man to make a promeſſe ⁊ a conuencion/ ſo that it may not be ꝓfytable that it ſhulde be performed/ eyther to hym to whome the promeſſe is made/ or to hym that made the promeſſe. For if (as it is red ĩ poemys) Neptune had not performed that he promyſed to Theſeus/ Theſeus had not loſt his ſonne Hyppolytus. For of thre wyſſhes (as it is wrytten by poetes) this was the thirde which in his ire he deſyred/ of ŷ dethe of Hyppolytus/ whiche obtayned he fell ĩ to great mournynges. Therfore promeſſes are not to be kept to the

quibus promiſeris, in utilia ſi ſint, nec ſi plus ſibi noceant, q
illi proſint cui promiſeris. Contra officium eſt magis dam
num antiponi minori, ut ſi conſtitueris te cupiam aduoca
tum in rem præſentem eſſe uenturum, atq; interim grauite
ægrotare filius cœperit, non ſit contra officiũ non facer
quod dixeris, Magiſq; ille, cui promiſſum ſit ab officio diſ
cedat, ſi ſe deſtitutum quæratur. Iamq; illis promiſſis non
ſtandum eſſe quis non uidet, quæ coactus quis metu, aut de
ceptus dolo promiſerit? quæ quidem pleraq; iure prætorio
liberantur, nonnulla legibus.

INIVRIAE A MALITIA
& uaframento.

Existunt etiam iniuriæ ſæpe calumnia quadam & ni
mis calida, ſed malitioſa iuris interpretatione. Ex
quo illud. Summũ ius ſumma iniuria, factũ eſt iam tritu
ſermone prouerbium. Quo in genere etiam in re public
multa peccantur. Vt ille, qui, cum centum triginta dieru
eſſent cum hoſte pactæ inducie, noctu, populabatur agro
quod dierum eſſent pactæ, non noctium induciæ. Ne
noſter quidem probandus eſt (ſi uerum eſt) Q. Fabiu
Labeonem, ſeu quem alium (nihil enim præter auditu
habeo) arbitrum Nolanis, & Neapolitanis de finibu
agri à ſenatu datum, cum ad locum ueniſſet, cum utriſq
ſeparatim locutum, ne cupide quid agerent, ne quid a
peterent, atq; ut regredi, q̃ progredi mallent. Id cu
utrinq; feciſſent, aliquantum agri in medio relictum e

to whā thou made promyſſe / if it be not profytable, nor if they hurt more than profyte the partie to whome thou made promyſſe. It is agaynſt offyce and maner that the more hurt ſhould be preferred before the leſſe: As if thou appoynte thy ſelfe to be a proctoure to a man in a cauſe nowe preſent, and in the meane tyme thy ſon falleth ſore ſycke / it is not agaynſt offyce & maner not to fulfyll that thou promyſed. And he to whom promyſſe is made doth rather deflecte from offyce and honeſtye / if ſo be he complayne that he is deſtytute of tuiſſyon. Who is he but he may ſe that a man ought not to ſtande to ſuche promyſſe whiche he compelled by drede doth promyſſe / or els diſceyued by falſe crafte: whiche thynges for the moſt part be acquyted and diſpatched by a lawe called Ius pretorium / and many by ciuyle lawe.

¶ Iniuryes ryſynge of malicyous and falſe interpretacion of the lawe.

There ryſeth alſo iniuryes oft by falſe cauyllacyon & ouer crafty, but malicyous interpretacion of the law / wherof is that ſaying. ¶ The uttermoſt of right is expreſſed wronge / as a pueibe nowe ryſen that is cōmenly ſayd. After the whiche maner alſo many thynges be done out of right ordre i the cōmentie. As he whiche after truce was takē with his enemyes for the ſpace of. xxx. dayes / diſtroyed the coūtrey by nyght tyme / coūterfaytīg that truce was taken for the dayes / & not for the nyghtes. Nor Quintus Fabius is to be prayſed / if it be true that Quītus Fabius, Labeo or ſome other / I can not tell but by hereſay / cōmitted by the ſenate to be arbytrer bytwene the Nolends & the Neapolitanes / of the boūdes of their fraūches / whan he came to the place he ſpake ſeuerally a part whether of thē / aduertiſyng thē that they ſhoulde do nothing of couetous mynde / nor aſke nothyng of affeccion / & that they ſhuld rather kepe thē withī their boūdes rather thā paſſe thē. And whā they had ſo done on bothe part, a parcel of groūd was left i ŷ myddle bytwene thē.

Itaq; illorum fines, ſicut ipſi dixerant terminauit. In me
dio relictum quod erat, populo Ro. adiudicauit. Decipe
hoc quidem, uon iudicare eſt. Quo circa in omni refug
enda eſt talis ſolertia.

DE OFFICIIS SERVANDIS in eos qui intulerunt nobis iniuriam.

SVnt autem quædam officia etiam aduerſus eos ſerua
da, à quibus iniuriam acceperis. Eſt enim ulciſcendi,
& puniendi modus. Atq; haud ſcio an ſatis ſit eum, qui
laceſſierit, iniuriæ ſuæ pœnitere, ut & ipſe ne quid tale
poſthac committat, & cæteri ſint ad iniuriam tardiores.

DVO GENERA DECERTANDI.

ATq; in Repub. maxime conſeruanda ſunt iura belli.
Nam cum ſint duo genera decertandi unũ per diſ
ceptationem, alterum per uim, cumq; illud proprium ſi
hominis, hoc belluarum, confugiendum eſt ad poſterius, ſi
uti non licet ſuperiore. Quare ſuſcipienda quidem bella
ſunt ob eo cauſam, ut ſinæ iniuria in pace uiuatur. Parta
autẽ uictoria conſeruãdi ſunt hi, qui non crudeles in bello,
nec immanes fuerũt ut maiores noſtri Tuſculanos, Equos,
Volſos, Sabinos, Hernicos iu ciuitatem etiam acceperunt.
At Carthaginem & Numantiam funditus ſuſtulerunt.
Nollem Corintum, ſed credo aliques ſecutos opportuni
tatem loci, maxime ne poſſet aliquando ad bellum facie
endum locus ipſe adhortari. Mea quidem ſententia, pa

And ſo he apoynted their boundes lyke as they ſayd/ & decreed that the parcell of grou̅de that dyd remayne bytwene them to the co̅munes of the romaynes. This is a poynte of diſceyte/ and not trewe iugement/ wherfore ſuche ſleyghty crafte is to be auoyded i̅ euery co̅dycion.

¶Of offyces to be obſerued agaynſt ſuche as haue done vs wronge.

There be alſo certayne offyces to be kepte agaynſt ſuche/ of whom a ma̅ hath taken wrong. For there is a maner of reuengynge and punyſſhynge/ and I can not tell whether it be ſuffycient for hym that hath done wronge to be ſory of his wronge/ and that he offende no more ſo after that. Alſo other ſhall be the more lothe to do wronge.

¶Two maners of diſcencyons or contencions/ and of lawe of armes.

And in euery co̅menty the lawe of armes muſt ſpecially be kept. For where as there be two maners of contencions / the one by diſputacyon or reaſonynge / the other by vyolence. And where as the ferther is appropried vnto man/ the ſeconde vnto wylde beeſtes. we muſte haue recourſe to the later/ if we woll not vſe the ferther. wherfore batayle muſt be take in hande for this cauſe that we maye lyue in reſt without wronge taken. Whan the vyctory is gotte/ thoſe are to be ſaued whiche haue not ben cruell nor fierſe in batayle. Our elders dyd receyue the Tuſculanes/ the Volſanes/ the Sabynes/ & the Hernycanes in to the lyberties of the cyte of Rome. But Chartage and Numancy they vtterly diſtroyed. I wold not that Corinthus had be diſtroyed. But I byleue that ſome man eſpyed the opportunite of the place/ in ſpecyal leſte that place might moue men to make warre. In myne opinyon we ought at all tymes to prouyde for peace

(quæ nihil habitura ſit inſidiarum) ſemper eſt conſulendum. In quo (ſi mihi obtemperatum eſſet) & ſi non optimam, aut aliquam repub. (quæ nunc nulla eſt) haberemus. Et cum his, quos ui deuiceris, conſulendum eſt, tum hi, qui armis poſitis ad imperatorum fidem confugiunt (quamuis murum aries percuſſerit (recipiēda ſunt. In quo tantopere apud noſtros iuſticia culta eſt, ut hi qui ciuitates, aut nationes deuictas bello, in fidem cepiſſent, earum patroni eſſent more maiorū. Ad belli quidem æquitas ſanctiſſime fæciali populi Romani iure perſcripta eſt. Ex quo intelligi poteſt nullum bellum eſſe iuſtum, niſi quod aut rebus repetitis geratur, aut denunciatum ante ſit, & indictum. Pompilius imperator tenebat prouinciam, in cuius exercitu Catonis filius Tyro militabat. Cum autē Pompilio uideretur unam dimittere legionem, Catonis quoq; filium, qui in eadem legione militabat, dimiſit. Sed cum amore pugnandi in exercitu remanſiſſet, Cato ad Pomp. ſcripſit, ut ſi eum pateretur in exercitu remanere, ſecūdo eum olligaret militiæ ſacramento, quia priore amiſſo iure pugnare cum hoſtibus non poterat. Adeo ſumma erat obſeruatio in bello mouendo. M. quidē Catonis ſenis eſt epiſtola ad M. filium, in qua ſcripſit, ſe audiſſe eum miſſum factum eſſe a cōſule, cū in Macedonia bello perſico miles eſſet. Monet igitur ut caueat, ne prælīū ineat, negat enim ius eſſe q miles non ſit, pugnare cū hoſte. Equidem illud etiam animaduerto, quod qui proprio nomine perduellis eſſet, is hoſtis uocaretur,

whiche hath no trappe nor treaſō. wherin if my coūſayle had be folowed / we ſhulde haue had a cōmēty though not moſt welthy yet ſomwhat lyke / which as now is brought to naught. And we muſt haue an honeſt reſpecte to ſuche as we haue ouercome in baytayle / alſo to thē which caſt awaye their weapons & flye for tuycion vnto the graūde capitayne. The gōnes beate downe the walles / yet they are to be receyued. In the which caſſyon iuſtyce hath be ſo kepte with our Romaynes / that they which had takē in to their tuyciō cytyes or nacions ſubdued in batayle / they were protectours of thē / after the maner of our elders. And the lawe of armes was full ſtable auctoriſed by a law of the Romayns called ius feciale. wherfore it may be vnderſtāde that no warre is iuſt / except ẏ which after iuſt tytle demaūded is done / or els it be denounced or proclaymed before. Pomphilius graunde capitayne gouerned a certayne prouynce / in whoſe army Catos ſōne as a yonge ſouldyer toke wages. And where as Pompilius thought neceſſary to let one legyon departe / alſo he dimyſt Catos ſonne whiche was in ẏ army of that legyon. But where as he for loue of warre dyd remayne ſtyl ī the army / Cato wrote vnto Pompilius that if ſo be he wolde ſuffre hym to remayne ī the hoſte / he ſhulde coarte hym the ſeconde tyme by an othe / for the fyrſt lawe of armes brokē he coulde not fyght agayne of ryght with his enemyes. There was ſo ſtrayte kepig of lawe of armes in mouynge batyle. There is an epiſtle of Marcus Cato aged to his ſonne Marcus / in the which he wrote that he herde ſay that his ſōne was dimyſt by the Conſull what tyme he was a warryour in Macedonye in batayle agayne the perſeys / & thervpon he warned his ſonne that he ſhoulde beware that he ſhulde not entermedle with war / for he denyed that it was lawfull for him that was not appoynted to warre / that he ſhuld fyght in batayle. Alſo I note this one thynge that he that was named by ẏ propre name an enemye / he was called a ſtraunger /

lenitati uerbi triſtitiam rei mitigante. Hoſtis enim apud maiores noſtros is dicebatur, quem nunc peregrinum dicimus. Indicant. xij. tabulæ, aut ſtatus dies cũ hoſte. Itemq; aduerſus hoſtem æterna authoritas, quid ad hanc manſuetudinem addi poteſt? eum, qui cum bella geras, tam molli nomine appellare, quanq̃ id nomen durius effecit iam uetuſtas. A peregrino enim receſsit, & proprie in eo, qui cõtra ferret arma, remanſit.

DE OFFICIO SERVANDO quando de imperio certatur.

CVm uero de imperio decertatur, belloq; quæritur gloria, cauſas omnino ſubeſſe tamen oportet eaſdem, quas dixi paulo ante iuſtas cauſas eſſe bellorum. Sed ea bella, quibus imperij gloria propoſita eſt, nimis acerba gerenda ſunt. Vt enim cum ciuiliter contendimus, aliter ſi eſt inimicus, aliter ſi competitor, cum altro certamen honoris & dignatis eſt, cum altero capitas & famæ. Sic cũ Celtiberis, cum Cymbris bellũ, ut cum inimicis gerebatur, uter eſſet, non uter imperaret. Cum latinis, Sabinis, Samnitibus, Pœnis, Pyrrho de imperio dimicabatur. Pœni fœdifragi, crudelis Anibal, reliqui iuſtiores. Pyrrhi quidem de captiuis reddendis illa præclara ſententia eſt. Nec mi aurum poſco, nec mi præctum dederitis. Nec cauponantes bellum, ſed belligerantes. Ferro, non auro uitam cernamus utrique. Vos ne uelit, an me regnare hera. Quidue ferat ſors, uirtute experiamur. Et hoc ſimul accipe dictum,

and ſo the eaſy terme of the worde dyd mitigate yͤ grefe of the thyng. For this terme hoſtis with our elders was named the ſame man that we cal a ſtrāger. The lawe of the .xii. tables that Ceſar made iudgeth ſo/ or els the day appoynted with our enemy/ alſo the law of armes fro yͤ orygynall begynnyng. what than more may be ymagined as this gētylnes/ that he wᵗ whom thou art at defyaunce with ſhalbe called after ſo gētle a name. Albeit that antiquite maketh that name as now more heynous/ naming hym enemye. For nowe that olde name is tranſlate fro the olde faſſyon of a ſtraunger / and remayneth in hym properly that warreth agaynſt vs.

¶ Of offyce to be kept whan contencion is made for empyre.

Whā batayl is made for thentēt to beare rule/ ⁊ fame is ſought by chiualry/ yet the ſame cauſes muſt be ſuppoſed that I ſpake of ſōwhat before/ that is to ſay iuſt cauſes of warre. But ſuche batayle to the which the fame of empyre is pretēded/ is to be done with leſſe crueltie. For lyke as whan we be in cōtencion in a cyte, we muſt hādle our ſelfe other wayes if a mā be enemy vnto vs/ ⁊ other wyſe if he laboure for the ſame roume that we do. For with the one ther is trauers of honour ⁊ dignyte/ with yͤ other peryll of lyfe and fame. And ſo warre was kept wᵗ the ſpanyardes ⁊ the Cempynges as with enemyes/ whether ſhuld ſuruyue/ ⁊ not whether ſhulde rule. warre was kepte with Latynes/ Sabynes/ ſamnites/ chartaginēſes wᵗ Pyrrhus who ſhulde beare rule. The chartaginenſes were falſe in promeſſe/ Hanibal was cruell/ the reſt were more iuſt. There is a notable ſayeng of Pyrrhus as touchyng the reſtytucion of captyues/ whiche is this: I aſke no golde for my parte/ nor gyue me no money / nor gyue me no banketters in warre/ but men of armes that woll fyght. Let vs trye bytwene vs our lyfes bothe with weapōs ⁊ not with golde/ whether fortune woll gyue to me or to you to reigne/ ⁊ what fortune woll ſende let vs try by vertue ⁊ manhode. And take this worde for a concluſyō.

Quorum uirtuti, belli fortuna pepercit. Eorundem me liberati parcere certum eſt. Dono ducite, doq; uolentibus cum magnis Dijs. Regalis ſanè & digna Aeacidarum generē ſententia.

FIDES ETIAM HOſtibus ſeruanda.

ATq; etiam ſi quid ſinguli temporibus adducti hoſti promiſerint, eſt in eo ipſo fides conſeruanda. Vt primo Punico bello Regulus captus à Pœnis cum de captiuis commutandis R[illegible]m miſſus eſſet, iuraſſetq; ſe rediturum primum ut uenit, captiuos reddendos in Senatu non cenſuit. Deinde cum retineretur à propinquis, & ab amicis, ad ſupplicium redire maluit, quam fidem hoſti datam fallere. Ac de bellicis quidem officijs ſatis dictum eſt.

IVSTITIA ETIAM ERGA infimos ſeruanda.

MEminerimus autem, & aduerſus infimos iuſtitiam eſſe ſeruandam. Eſt autem infima cōditio & fortuna ſeruorum, quibus non male præcipiunt, qui ita iubent uti, ut mercenarijs, ad operam exigendam, & iuſta præbenda. Cum autem duobus modis, id eſt, aut ui, aut fraude fiat iniuria, fraus quaſi uulpeculæ, uis leonis uidetur, utrunq; alieniſſimum ab homine eſt, ſed fraus odio digna maiore. Totius autem iniuſtitiæ nulla capitalior eſt, q̃ eorum, qui tum, cum maxime fallũt, id tamen agunt ut uiri boni eſſe uideantur. De iuſtitia ſatis dictum eſt.

Loke whoſe manhode in warre foꝛtune woll ſaue/ I am determyned to fauour there liberty. Take hym foꝛ a gyfte I graũt hym & aſſent of the great goddes. A royall ſentence ſurely ⁊ agreeyng to the valyaũt bloode of Achilles.

¶ Pꝛomeſſe is to be kept with oure enemyes.

AND alſo if any man moued after as tyme requyreth to pꝛomeſſe any thyng to his enemye/ there is a pꝛomeſſe to be kepte ĩ that ſelfe thynge. As in example in the fyꝛſte warre kepte with the chartagyneſes Regulus take pꝛiſoner of the chartagyneneſes/ after he was ſente to Rome foꝛ an exchaunge of captyues/ and made othe to come againe. But as ſone as he came ta Rome he perſwaded in the perlyamẽt that [illegible]tyues ſhulde not be reſtoꝛed. After this wehre as he [illegible] letted a ceaſõ by his kyn ⁊ his frendes/ he choſe rather to retourne to his punyſſhement than he wolde bꝛeke pꝛomeſſe & his enemyes. And now there is ſuffyciẽtly ſaid of lawe of armes.

¶ Juſtyce is to be kept towarde the loweſt perſones.

WE muſt alſo remembꝛe to kepe juſtyce agayne the meaneſt and loweſt perſones. There is a condycion and fortune of bonde men oꝛ ſeruauntes / foꝛ whome they ſet a good rule and an oꝛdꝛe/ that cõmaundeth ſo to vſe thẽ as hyꝛed men oꝛ iourney men / as touchynge exaccyons of there labour/ alſo to gyue them their dutyes neceſſary. And foꝛ as moch as iniury is done two maner of wayes, that is to ſaye eyther by vyolence oꝛ fraude. Fraude belongeth to the foxe / vyolence to the lyon. Bothe theſe be contrarye to the nature of man, but fraude is moꝛe woꝛthy hatred. Of all iniuryes none is moꝛe deteſtable thã of ſuche whiche whan they moſte diſceyue a man / than they ſhewe them ſelfe as they ſemed to be well conſcyenced men. Of juſtyce is ſuffyciently ſayde.

DE BENEFICENTIA
& liberalitate.

DEinceps, ut erat prepoſitum, de beneficentia, ac liberalitate dicatur, qua quidem nihil eſt naturæ hominis accomodatius. Sed dabet multas cautiones. Videndum eſt primum, ne obſit benignitas, & his ipſis quibus benigne uidebitur fieri, & cæteris. Deinde ne maior benignitas ſit q̄ facultas. Tum ut pro dignate cuiq; tribuatur. Id enim eſt iuſtitiæ fundamentū, ad quam hæc omnia ſunt referenda. Nam & qui gratificantur culpiam, quod obſit illi, cui prodeſſe uelle uideantur, non benefici, neq; liberales, ſed pernitioſi aſſentatores iudicandi ſunt, & qui alijs nocent, ut in alios liberales ſint, in eadem ſunt iniuſtitia, ut ſi in ſuam rem, alienam cōuertant. Sunt autem multi equidem cupidi ſplendoris, & gloriæ, qui eripiunt ab alijs, quod alijs largiantur. Hi qui arbitrantur ſe beneficos in ſuos amicos uiſum iri, ſi locupletent eos quacunq; ratione. Id autem tantum abeſt ab officio, ut nihil magis officio poſſit eſſe contrarium. Videndum eſt igitur, ut ea liberalitate utamur, quæ proſit amicis, nemini noceat, quare Lucius Sylle, & Caius Cæſaris pecuniarum tranſlatio à iuſtis dominis ad alienos, non debet liberalis uideri, nihil enim liberale, quod non idem iuſtum. Alter locus erat cautionis, ne benignitas maior eſſet quam facultates. Quod qui benigniores uolant eſſe, quam res patitur, primum in eo peccant, quod iniurioſi ſunt in proximos.

¶ Of bountyfulneſſe and lyberalyte.

AND ſo forth as was purpoſed of bountyfulneſſe and lyberalyte / it maye be ſayd that nothynge is more accommodate than that to the nature of man / but it hath many cautions and excepcyons. For we muſt ſpecially take hede that our bountyfulneſſe do no hurte / [illegible] to ſuche to whome we thynke that we deale lyberally & and to other. Ferther that the lyberalite ſhewed be not excedynge our poſſybylite. Alſo that we ſhall gyue after the condigne merites of the man / for that is the foudacio̅ of iuſtyce / to the whiche iuſtyce all theſe thynges be referred. For all ſuch as dothe a pleſure vnto a man / bycauſe it hurteth the perſone to whome they thynke that they wolde do profyte / they are to be take̅ not bountyfull nor lyberall / but miſcheuous and poyſonfull flaterers. And ſuche as hurte other men to thentent they may be bountifull to other / be as co̅uycte in the ſame iniury / as though they wolde turne other mennes goodes in to their owne vſe and profyte. There be alſo many deſyrous of honour and fame whiche ſpoyled from theſe men / to gyue to thoſe men. And ſuch iudge them ſelfe to be benefyciall to their fre̅des if ſo be they make them ryche by any meane. This maner is as ferre diſtaunt from offyce and honeſty / that nothynge maye be more co̅traryous. Therfore we muſt regarde that we vſe that lyberalite that may ꝓfyte our frendes / and hurte no man. wherfore that falſe vſurpacion of the goodes of Lucius Sylla / and Caius Ceſar fro the iuſt owners to other men / ought not to be thought lyberall. For there is no thynge lyberall excepte it be iuſte. An other place of caution and prouiſyon is this / that oure bountyfulneſſe ſhulde not ſurmou̅t aboue our ſubſtance / bycauſe they that woll be more lyberall than their power may beare / chefely they offende in this poynte / bycauſe they be iniuryous to their neyghbours.

Quis enim copias iis & ſuppeditari æquius eſt, & relinquere eas transferũt ad alienos. Ineſt autem in tali liberalitati cupiditas plerunq; rapiendi, & auferendi per iniuriam, ut ad largiendũ ſuppetant copiæ. Videre etiam licet pleroſq; non tam natura liberales, quam quadam gloria inductos, ut benefici uideantur, facere multa, quæ uidentur magis proficiſci ab oſtentatione, quàm à uoluntate. Talis autem ſimulatio uanitati eſt coniunctior, quàm aut liberalitati, aut honeſtati. Tertium eſt propoſitum, ut in beneficentia delectus eſſe dignitatis, in quo & mores eius erunt ſpectãdi, in quẽ beneficiũ conferetur, & animus erga, nos & cõmunitas, ac ſocietas uitæ, & ad noſtras utilitates officia ante collata. Quæ ſi cõcurrant omnia, optabile eſt. Si minus, plures cauſæ maioresq; ponderis plus habebunt.

QVOMODO CONSYDErandi ſunt mores,

QVoniam aũt uiuitur nõ cum perfectis hominibus, planeq; ſapiẽtibus, ſed cũ his, in quibus nõ præclare agitur, ſi ſint ſimulachra uirtutis, etiã hoc intelligẽdũ puto, neminẽ omnino eſſe negligẽdũ, in quo aliqua ſignificatio uirtutis appareat. Colẽdũ aũt eſſe ita quẽquã maxime, ut quiſq; his uirtutibus lenioribus erit ornatus, modeſtia, temperãtia, ac ipſa de qua iã multa dicta ſũt iuſtitia. Nã fortis animus & magnus in homine non ꝑfecto, nec ſapiẽte, feruẽtior plerũq; eſt. Illæ uero uirtutes bonũ uirũ uidẽtur potius attingere. Atq; hac in moribus cõſyderentur.

For lytle goodes as it were more egall to helpe them ⁊ and leaue them vnto them/ they beſtowe thẽ vpõ other. In ſuche lyberalyte there is moſte comenly annexed a couetyſe to robbe and take by iniurye that rycheſſe plentyous may ſuffyſe to ſhewe bountyfulneſſe. And we maye ſe all for the moſte parte not ſo lyberall of nature but they be ledde to by a vayne glory / to the ende they may ſeme bōtyful/and to do moche / which ſemeth rather to ryſe of pryde outwarde ſhewed thã of lyberal wyl. This maner of ſymulation is ioyned with foly/rather than with lyberalitye or honeſty. The thyrde purpoſe is that lyberalyte a diſtynction ſhulde be of meryte ⁊ deſerue/wherin bothe the maners of that perſon is to be conſydred to whom the benefyte is done/alſo his mȳde and good wyl towarde vs/alſo the conuerſacyon and the companye of his lyfe/and all benefytes before ſhewed to our proffyte/ whiche all if they be concurrant it is a thynge deſyrous/ if no/more and greater ſhall haue more weyght.

¶ Howe maners are to be conſydred not after the exacte opinyon of Socrates but after the meane maner of vertue amonge vs.

AND for as moche as this lyfe is ledde not with perfyte men ⁊ excellent wyſe / but ⁊ ſuche in whome is but meane condycyõ/but yet they be as repreſentacyons of vertue. I thynke this to be noted / that no man vtterly ought to be diſpyſed in whome any token of vertue doth appere. And I iudge euery man ſo ſpecyally to be loued/as euery man ſhall be endued with this ſofter vertues/as moderaunce/temperaunce/and that wherof moche nowe hath be ſayd of iuſtyce. For a bolde ſtomake and an hardy in a man not perfyte nor wyſe / is for the moſte parte more feruent ⁊ hotte. Thoſe vertues aforeſayd ſeme rather to pertayne to a vertuous man and perfyte. And thus moche may be conſydred in maners.

QVOD ORDINE COLLOCANda ſint beneficia, ac primum quidem bene, meritis gracia eſt referenda.

DE beneuolẽtia autẽ quam quiſq; habeat erga nos, primum illud eſt in officio, ut ei plurimum tribuamus, à quo plurimum diligimur, ſed beniuolentiam non adulescentorum more, ardore quodam amoris, ſed ſtabilitate potius, & conſtantia iudicemus. Sin erunt merita, ut non incunda, ſed referenda ſit gratia, maior quædam cura adhibenda eſt. Nullum enim officiũ referenda gratia magis neceſſarium eſt. Quod ſi ea, quæ acceperis utenda, maiore menſura, ſi modo poßis, iubet redde te Heſiodus, quidnam beneficio prouocati facere debimus? An non imitar agros fertiles, q multos plus adferũt, q̃ acceperũt? Etenim ſi in eos, quos ſperamus nobis profuturos, non dubitamu officia conferre, quales in eos eſſe debemus, qui iam profuerunt? Nam cum duo genera liberalitatis ſint, unũ dand beneficium, alterum reddendi, demus nec ne, in noſtra poteſtate eſt, non reddere, bono uiro non licet, ſi modo id facere poßit ſine iniuria. Acceptorum autem beneſſiciorum ſunt delectus habendi. Nec dubitũ, quin maximo cuiq; plurimũ debeatur. In quo tamen in primis quo quiſq; anim ſtudio beneuolẽtia fecerit, põderandũ eſt. Multi enim faciunt multa, temeritate quadam, ſine iudicio, uel modo, omnes, uel repẽtino (quodã quaſi uẽto) impetu animi incitati. Quæ beneficia æque magna nõ ſunt habẽda, atq;

¶ Howe the beneuolence of other men towardes vs is to be conſydred: and benefytes ſhewed to vs are to be regarded.

AS touchynge beneuolence that any mā hath vnto vs/ this is a principle in good maner that we ſhal do moche for hym / of whome we be ſpecially beloued. But we muſte pondre beneuolence not after the maner of youthe/ with a certayne flame of loue / but with a ſtabylite and conſtaunce. If the benefytes of men be ſuche that we ought not to ſeke thanke/ but to recompence/ we muſt take the more dilygent hede. For there is no offyce of humanytie more neceſſarye/ than in requyrynge gentylneſſe ſhewed. wherfore if the poete Heſyodus commaundeth vs to reſtore ſuche thynges as we haue to our vſe with more encreaſe / if a man be able / what are we bounde to do whan we be allured by benefyte ſhewed? whether or no ought we to folowe the nature of groundes that be batwell / whiche brynge moche more fruyte than they receyued. For if we doute not to ſhewe benefytes to ſuche whiche we truſt woll do vs profyte/ what maner of men ought we to be towarde ſuche that haue profyte vs. For where as there be two maner of lyberalyties/ the one of gyuynge a benefyte / the other of requytynge. whether we woll gyue or no it lyeth in our owne choyſe. An honeſt man can not but make recompence / if ſo be he maye do it without iniurye. ¶ There is a diſtynction to be had in takynge of benefytes. ¶ There is no doute but to euery honeſt man we be moche bounde/ in the whiche not withſtandynge chefely we muſte conſydre for what entent / what purpoſe / and beneuolence any man dothe ſhewe kyndeneſſe. For many dothe many thynges without diſcrecyon/ due iudgement or meaſure to all maner of men / or as men moued (as at a puffe of wynde) with a ſodayne paſſyon of mynde. Which benefytes be not ſo moche to be regarded as thoſe

que iudicio cōſiderate, cōſtanterq; delata ſunt. Sed in col locando beneficio, & in referenda gracia (ſi cætera pari ſint) hoc maxime officij eſt, ut quiſq; maxime opis indige ita ei potiſſimum opitulari. Quod contra ſit à pleriſq A quo enim plurimum ſperant, etiamſi ille his non ege tamen ei potiſſimum inſeruiunt.

QVOMODO CONSYDErandæ ſit uita communitas.

OPtime autē ſocietas hominū cōiunctioq; ſeruabitur ſi ut quiſq; erit cōiunctiſſimus, ita ī eū benignitatis plurimū conferetur. Sed quæ naturæ principia ſint cōmu nitatis & ſocietatis humanæ, repetēdū latius uidetur. E enim primū quod cernitur ī uniuerſi generis humani ſoci tate. Eius aūt uinculum eſt ratio & oratio, que docendo diſcendo, cōmunicando, diſceptando, iudicando concilia inter ſe homines, cōiungitq; naturali quadā ſocietate. Neq re ulla longius abſumus à natura ferarum, in quibus ineſſ fortitudinē ſæpe dicimus, ut in equis, in leonibus, iuſtitiā æquitatē bonitatem nō dicimus. Sunt enim rationis & ora tionis expertes. Ac latiſſime quidem patens hominibus in ter ipſos; omnibus inter omnes ſocietas hæc eſt. In qua omniū rerum, quas ad communem uſum hominum natura genuit, eſt ſeruanda communitas, ut quæ deſcripta ſunt legibus, & Iure Ciuili, hæc ita teneantur, ut ſit conſtitu tum. E quibus ipſis cætera ſic obſeruentur, ut in Græco rum prouerbio eſt. Amicorum omnia eſſe communia.

whiche be gyuen circumſpectlye by diſcrecyon and ſobre mynde. But in beſtowynge of a benefyte/ and in recompence makynge (yf eyther partes be lyke) this is a pryncipall poynte of offyce/ the more nede a man hath the more ſpecyally to ſuccour hym/ whiche chaunſeth contrary for the moſte parte. For of whome men loke to haue mooſt profyte by / to hym (thoughe he haue no nede) yet they wyll do theyr pleaſure.

¶ How the company and felowſhyp of this lyfe is to be conſydered.

The company ⁊ felowſhyp of man ſhalbe beſt obſerued/ yf ſo be that the nygher any mã be vnto vs eyther by kynne or benefytes, the more lyberalitie muſt be ſhewed vnto him. But thoſe thinges that be as firſt ſteyes of companye ⁊ felowſhyp of man by nature ſemeth to be ſought in a farther cõpace. For it is the chefe thing that is ſene and perceyued in the company of mankynde vnyuerſall. The bande therof is reaſon and cõmunycacion/ whiche in teachyng/ cõmunynge/ diſputynge/ and iudgement doth allure ⁊ companyeth men togythers by a naturall ſocyete and famyliarite. Nor we be farther dyfferent fro the nature of wylde beaſtes/ in whom we ſay oft tymes that there is force and ſtrength / as in horſes and lyons/ but we graunte not that iuſtyce and baũtyfulneſſe is in them/ for they lacke reaſon and ſpeache. And mooſt euydent is that companye to men amonge them ſelues, in the whiche all aſſemble togythers one with an other. In the whiche felowſhyp a communytye of all thynges that nature hathe ordeyned to the cõmune vſe and profyte of men/ is to be obſerued. As ſuche thynges whiche be declared by ſtatutes and lawe cyuile/ they ſhulde be ſo kepte as they be decreed. Amonge the whiche thynges other are to be kepte/ as it is in a prouerbe of the grekes, All thynges amonge louers ⁊ frendes ſhulde be cõmune,

Omnia autem communia hominum uidentur ea, quæ ſun generis eiuſdem. Quod ab Ennio poſitũ in una re, tranſferri per multas poteſt. Homo qui erranti comiti monſtrat uiam. Qui ſi de ſuo lumine lumen accendat, facit, ut nihilominus ipſi luceat, cum illi accenderit. Qua ex re ſatis præcipit Enneus, ut quicquid ſine detrimento poßit commodari, id tribuatur cuiq;, uel ignoto. Ex quo ſunt illa communia, non prohibere aquam profluẽtem, pati ab igne ignem capere. Si quis uelit conſilium fidele deliberandi dare, quæ ſunt his utilia qui accipiunt, danti non moleſta. Quare & his utendum eſt, & ſemper aliquid ad communem utilitatem adſerendũ. Sed quoniam copiæ paruæ ſingulorum ſunt, eorum autem qui his egeat, infinita eſt multitudo, uulgaris liberalitas referenda eſt ad illum Enni finem, nihilominus ut ipſe luceat. Vt facultas ſit qua in noſtros ſimus liberales.

GRADVS HVMANAE ſocietatis.

GRadus autem plures ſunt ſocietatis hominũ. Vt enim ab illa diſcedatur infinitate, proprior eſt eiuſdem gentis, rationis, linguæ, qua maxime homines coniungun tur. Interius etiam eſt eiuſdem eſſe ciuitatis. Multa enim ſunt ciuibus inter ſe communia, forum, fana, porticus, uiæ, leges, iura, iudicia, ſuffragia, conſuetudines. Preterea & familiaritates, multæq; cũ multis res, rationesq; cõtracta

All ſuche thynges ſemeth cōmune which be of one kynde. whiche thyng of the poete Ennius put in one concluſyō may be trāſpoſed by many wayes/as a mā that ſheweth to an other that gothe out of ẏ way the redy waye/as a man wolde ſay he tēdes oꝛ lyghtes his cādle at his owne cādle / ſo that neuer the leſſe it gyueth lyght to hym ſelfe whan he hath lyght a candle to an other. By reaſō wher of Ennius gyueth a ſuffycyēt pꝛecept/ſo ẏ what ſo euer without dāmage maye be ſpared/that ſhulde be gyue to any mā though he were a ſtraunger. By reaſon wherof thoſe thynges be cōmen/not to foꝛbyd a man water of ẏ ryuer/to ſuffre a man to take fyꝛe at your fyꝛe. If a man wyll gyue counſayle to an other that aſketh it / whiche thynges be pꝛofytable to them that receyueth them/and no grefe to ẏ gyuer: wherfoꝛe bothe we muſt vſe this faſſyon / alſo euer haue ſome reſpect to the cōmune welthe. But foꝛ as moche as the ſubſtaūce and goodes of partyculer men is but ſmall / & the multytude of ſuche as haue nede is infynite/ the vulgare lyberalite is to be referred to this ende of Ennius/ſo that neuer the leſſe lyght may be gyue to our ſelfe/that our ſubſtaunce be ſuche wherby we may be lyberall to our frendes and famylters.

¶ The degrees of companye and felowſhyp of men.

There be many degrees of famylyarite of men togythers. Foꝛ to the entent we maye auoyde that infynytenesse of Ennius / that degree is nygher that is of the ſame kynne/nacyon/ and language / by the which ſpecially men be accompanyed. Ferther, it is nere to be of the ſame cytie/foꝛ many thynges be commune to cytesyns amonge them ſelfe / as the markette place / the church/the ples hye waies/lawes/fredomes/iudgemētes voyces in elections/cuſtomes/ferther famyliarites/& many cauſes with many & compactes made one wͭ an other.

Arctior uero colligatio eſt, ſocietas propinquorum. Ab
la enim immenſa ſocietate humani generis in exiguum, an
guſtumq; concluditur. Nam cum ſit hoc natura commun
omnium animantium, ut habeant libidinem procreandi,
prima ſocietas in ipſo eſt cõiugio, proxima in liberis. De
inde una domus, omnia communia. Id autem eſt principi
um urbis, & quaſi ſeminarium Reip. Sequuntur fratrum
coniunctiones, poſt conſobrinorum, ſobrinorumq; qui cum
una domo iam capi non poſſint, in alias domos, quaſi in co
lonias exeunt. Sequuntur cõnubia, & adſinitates, ex qui
bus etiam plures propinqui. Quæ propagatio, & ſobole
origo eſt rerum publicarum, ſanguinis autem coniunctio,
& beneuolentia deuincit charitate homines. Magnum eſ
enim eadem habere monumẽta maiorum, iiſdem uti ſacris,
ſepulchra habere cõmunia. Sed omnium ſocietatum null
præſtantior eſt, nulla firmior quam cum uiri boni moribu
ſimiles, ſunt familiaritate coniuncti. Illud enim honeſtu
(quod ſæpe diximus) etiam ſi in alio cernimus, tamen no
mouet, atq; illi, in quo id ineſſe uidetur, amicos facit
Et quanquam omnis uirtus nos ad ſe alliciat, faciatq;, u
eos diligamus, in quibus ipſa ineſſe uideatur, tamen iu
ſtitia & liberalitas id maxime efficit. Nihil autem amab
lius, nec copulatius, quam morum ſimilitudo bonorum, i
quibus enim eadem ſtudia ſunt, eadem uolũtates, in his fi
ut æque quiſq; altero delectetur, ac ſeipſo. Efficiturq;
quod Pythagoras uult amicitia, ut unus fiat ex pluribu

G

The knotte of companye of kynred or neyghberhode is more ſtrayte / for it is brought fro the infynite company of mankynde in to a lytle ⁊ a ſtrayte roume. For where as this one thynge is by nature cōmune to all that be lyuyng / that they haue an appetyte and deſyre of generacion / the pryncypall company reſteth in matrymonye / ſeconde in iſſue and diſcent. Thirde one houſe wherin al is cōmen. This is the orygynall begynnyng of a towne or cōmentie / and as who ſayth the ſede or plāt of a cōmune welthe. After theſe foloweth the confedre of bretherne / after that coſen germaynes and ſuche as be ſyſters chyldren / whiche where as they can not be take in to one houſe / they go forthe in to other houſholdes / as men that ſytte in to other townes. Than foloweth maryage and affynynite or alyaunce / wherby many be nye vn to vs / whiche generacyon and iſſue is the orygynall heed of commen welthes. The knotte of conſanguynite and beneuolence byndeth men in loue and charyte. It is an excellent thynge to haue the ſame monumentes of antyques or oure elders / to vſe their rytes ⁊ ceremonyes / to haue their buryalles togythers. But of all famylyarytes there is none more excellent / none more ſtable than where good men lyke of maners be accompanyed to gythers. For that honeſty wherof we haue ſpoken ofte / ye though we ſe it in an other man / yet it moueth vs and maketh vs louers to hym in whome it is ſene. And though euery vertue allureth vs to hym ſelfe / and maketh vs that we loue theym in whome it appereth to be / yet iuſtyce and lyberalytie bothe that moſte effectually. There is nothynge more amyable / nor that coupleth vs more than the lyke reſemblaunce of good maners. For in ſuche as be lyke deſyres and lyke wylles / it chaunſeth in them that euery one delyteth in other as in his owne ſelfe. And it is broughte to paſſe / that Pythagoras wylleth in trewe amytie and loue / that one is made of many.

Magna etiam illa communitas eſt, quæ conficitur ex beneficijs ultro citroq; datis, acceptiſq;. Quæ mutata & grata dum ſunt, inter quos ea ſunt, firma deuinciuntur ſocietate. Sed cum omnia ratione, animoq; luſtraueris, omnium ſocietatum nulla eſt gratior, nulla charior, quam ea quæ cum Rep. eſt unicuiq; noſtrum. Chari ſunt parentes, chari liberi, propinqui, familiares. Sed omnes omnium charitates patria una complexa eſt, pro qua qui bonus dubitet mortem oppetere, ſi ei ſit profuturus? Quo eſt deteſtabilior iſtorum immanitas, qui lacerarunt omni ſcelere patriam, & in ea funditus delenda occupati & ſunt & fuerunt. Sed ſi contentio quædam & comparati fiat, quibus plurimum tribuendum ſit officij, principes ſin patria & parentes, quorum beneficijs maxime obligati ſumus, proximi, liberi, totaq; domus, quæ ſpectat in nos ſolos, neq; aliud ullum poteſt habere profugium. Deincep bene conuenientes propinqui, quibus communis etiam plerunq; fortuna eſt. Quamobrem neceſſaria præſidia ui debentur his maxime, quos ante dixi. Vita autem uictuſ communis, conſilia, ſermones, cohortationes, conſolationes, interdum etiam obiurgationes in amicis uigent maxime. Eſtq; ea iucundiſſima amicitia, quam ſimilitudo morum coniugauit.

DE OFFICIIS A CIRcumſtantia.

Alſo that is a ſtrong cōmunytie and famyliarytie that is made by benefytes gyuen and taken of this parte and that/ whiche whan they be of bothe ſydes gyuen and acceptable/ bytwene whome they are done they be knyt in a ſtable vnyte of company. But whan thou haſt compaced all by reaſon and by thy mynde of all felowſhyppes/ there is none more acceptable / none more to be loued than that whiche is to euery one of vs ioyned with yͤ cōmen welthe. Our father and mother be to vs dere beloued/ our chyldren/ our kyn / and famyliers. But the dere loue of vs all is concluded in our natyue countrey onely/ for the whiche countrey what good man is he that wyll doubt to dye for it / if ſo be he maye do profyte therto. wherfore the crueltye of ſuche men is the more deteſtable/ that haue mangled with all mãner of miſchefe their countrey / and haue ben and yet ſtyll are occupyed in to the vttermoſte diſtruction therof. But if cōtencyon and comparyſon be made/ to what maner of perſōs we ſhulde ſhewe ſynguler offyce by benefyte/ theſe be chefe. Our natyue countrey / our parētes/ for whoſe benefytes we are moſte bounden: next after them our chyldren and all our houſholde/ whiche belongeth to vs onely / nor can haue any other refuge or ſuccoure. Seconde are to be loued ſuche as be nye of kyn or neyghboures/ to whome fortune and goodes cōmenly is indifferent. By reaſō wherof neceſſary tuytion & ayde of this lyfe is due to them enſpecyall / whome I haue ſpokē of before. Lyue and repaſte one with an other/ counſayles/ cōmunycacions/ exhortacions / conſolacyons / ye and ſomtyme retarges and chydynges be ſpecially vſed amonge louers & frendes. And that amytie and loue is moſt pleaſaunt / which lyke reſemblaunce of maners hath knyt togythers.

¶ Of offyces and dutyes by reaſon of the cyrcumſtaunce/ and not onely of theſe degrees are to be reſpected.

SEd in his omnibus officijs tribuendis uidendum erit, quid, cuiq; maxime neceſſe ſit, & quid quiſq; nobiſcum uel ſine nobis, aut poſsit conſequi, aut non poſsit. Itaq; non idem erunt neceſsitudinū gradus, qui & temporum. Sūtq officia, quæ ab ijs magis, quam alijs debeantur, ut uicinum citius adiuueris in frugibus percipiendis, quam aut fratrem aut familiarem. At ſi lis in iudicio ſit, propinquū potius & amicum, quam uicinum defenderis. Hæc igitur & talia circumſpicienda ſunt in omni officio, & conſuetudo, exercitatioq; capienda, ut boni ratiocinatores officiorum eſſe poſsimus, & addendo, deducendoq; uidere, qu reliqui ſumma fiat. Ex quo quantum cuiq; debeatur intelligas. Sed ut nec medici, nec imperatores, nec oratores, quamuis artis præcepta perceperīt, quicquam magna laude dignum ſine uſu & exercitatione conſequi poſsunt, ſi officij conſeruandi præcepta tradūtur, illa quidem ut faciamus ipſi. Sed rei magnitudo uſum quoq; exercitationem q; deſyderat. Atq; ab his rebus, quæ ſunt in iure ſocietatis humanæ, quemadmodum ducatur honeſtum, ex quo ortum eſt officium, ſatis ferè diximus.

FORTITVDO ET Magnanimitas.

INtelligendū eſt autē, cū propoſita ſint genera quatuor, ꝗbus boneſtas, officiūq; maneret, ſplendidiſsimū uideri, ꝗd animo magno, eratioq;, humanaſq; res diſpiciēte fa ſit. Itaq; ī ꝓbris maxiē in prōptu eſt, ſi ꝗd tale dici poteſt,

BUt in exhybetynge theſe offyces and dutyes / we muſte haue reſpecte what maye be moſte neceſſarye for euery man/alſo what euery man maye be of power to do or not to do / by vs or without vs / and ſo that ſelfe ſame degrees of loue ſhall not be after one maner with them that be of tymes. There be offyces that be more due to ſome mẽ than to other. As thou ſhalte loner helpe thy neyghboure i gettyng in his fruytes than eyther thy brother or thy famylier / but if there be any trauers in the lawe/ thou ſhalte rather defende thy kynneſman & thy frende thã thy neyghbour. Therfore theſe and ſuche other circumſtaũces are to be loked vpon in euery offyce or dutye. Alſo cuſtome and practyſe muſt be vſed / that we maye be as good accompters of our offyces and dutyes/and ſe bothe in addyciõ and ſubtractiõ what ſõme maye ſurmounte of the remaynes / wherby thou maye perceyue howe moche is due and dette to euery man. But lyke as neyther phiſycions/graũde capitaynes/nor oratoures though they haue lerned the preceptes of their ſcyence / can do nothynge worthy great laude without practyſe / ſo the preceptes of obſeruyng good maner are taught to vs to the entent that we our ſelfe ſhall execute them / albeit the diffycultie of the thynge requyreth vſe and practyſe. And as touchyng ſuche thynges that be in the bonde and lawe of companye of mẽ/vnder what faſſyon honeſtie may be eſtemed wherof ryſeth offyce and good maner I haue almoſte ſuffyciently ſayde.

¶ Of force and magnanimytie or manhode

☞ It is to be noted ỹ where as four mãers be purpoſed wherof honeſty/that is to ſay the offyce ⁊ dutie of mã iſſueth forthe/that kynde moſte clerely doth appere that with a bolde ⁊ an hye corage of herte/diſpyſynge worldly chaunces is done. Therfore in reproches this is moſte euydent/ if any lyke maye be ſayd that Ennius wryteth

Vos etenim iuuenes animum geritis muliebrem. Illaq; uirgo uiri, & ſiquid eſt huiuſmodi. Salmacida ſpolia ſine ſanguine, & ſudore. Contraq; in laudibus quæ magno animo, & elato, fortiter, excellenterq; geſta ſunt, ea neſcio quomodo quaſi pleno ore laudamus. Hinc rhetorum campus de Marathone, Salamine, Plateis, Thermopylis, Leuctris, Stratocle, hinc noſter Cocles, hinc decij, hinc Cn. & P. Scipiones, hinc M. Marcellus, innumerabiles alij, maximeq; ipſe Po. Ro. animi magnitudine excellit. Declaratur autem ſtudium bellicæ, gloriæ, quod ſtatuas quoq; uidemus ornatu ferè militari.

DE ANIMI ELATIONE, quæ uitio datur & audacia poteſt appellari.

SEd ea animi elatio, quæ cernitur in periculis & laboribus, ſi iuſticia uacat, pugnatq; non pro ſalute communi, ſed pro ſuis commodis, in uitio eſt. Non enim modo id uirtutis non eſt, ſed potius immanitatis, omnem humanitatem repellentis. Itaq; probe diffinitur à Stoicis fortitudo, cum eam uirtutem eſſe dicunt pugnantem pro æquitate. Quo circa nemo qui fortitudinis gloriam conſecutus eſt, inſidijs & malitia laudem eſt adeptus, nihil enim honeſtum eſſe poteſt, quod iuſtitia uacat. Præclarum igitur Platonis illud, non ſolum, inquit, ſcientia, quæ eſt remota à iuſtitia, caliditas potius quam ſapientia eſt appellenda, uerumetiam animus paratus ad periculum, ſi ſua cupiditate,

youre yonge men beare womanly hertes, and that mayde a manly herte / and ſuche other if there be any. And get your prayſe of Salmaces without bloode or ſwet / that is to ſay with wanton pleaſure with lyght women. And contrary wayes in prayſe of ſuche actes as be done mãly and excellẽtly with bloode and valyaũt ſtomake / we as with an opẽ mouthe (I can not tell how) extolle ⁊ prayſe them. Therfore ryſeth the large and wyde prayſe by the Toriciens / of Marathon / Salamyne / Plate / Thermopyle / Leutry / Stratocles. Therof roſe the fame of Cocles our cõtrey mã. Therof the famyly of Decius / therof the famyly of Gneus and Pubblius Scipion / therof Marcus Marcellus / ⁊ other out of nombre. And in eſpecyall the romaynes ſurmount in excellence of valyaunt ſtomake. The deſyre of fame by chyualry is declared in that we ſe the ymages of our elders commenly decked in cote armure.

¶ Of the hye pride of herte whiche is in reproche / and maye be called madhardyneſſe.

BUt that hye courage of herte that is ſene in aduentures and paynes / if it be voyde of iuſtyce / ⁊ dothe not fyght for the cõmen welthe / but for his owne auayle is in reproche: for it is not only not vertuous but rather outragyous / alſo expellynge all humanytie. And therfore force and valyaunce is well defyned of Socrates ſchole / where they ſaye that that is vertue and force that fyghteth for iuſtyce and ryght. wherfore no man that hath won the prayſe of valyaunt force hath opteyned it by falſe meanes ⁊ malyce / for there is nothyng can be honeſt that is voyde of iuſtyce. Therfore the ſayeng of Plato is notable. Not onely knowelege (he ſaythe) that is ſeperat fro iuſtyce is rather to be called craftynes than wyſdom / but alſo the ſtomake that is appoynted to aduẽtures / if it be moued therto by his priuate couetyſe

non utilitati commuuni impellitur, audaciæ nomen potius habeat, quam fortitudinis. Itaqꝫ uiros fortes, & magnanimos, eoſdem bonos, & ſimplicis ueritatis amicos, minimeqꝫ fallaces eſſe uolumus, quæ ſunt ex media laude iuſticiæ. Sed illud odioſum eſt, quod in hac elatione & magnitudine animi, facillime pertinacia, & nimia cupiditas principatus innaſcitur. Vt enim apud Platonem eſt, omnem morem Lacedæmoniorum inflammatum eſſe cupiditate uincendi, ſicut quiſqꝫ animi magnitudine maxime excellit, ita maxime uult princeps omnium eſſe, uel potius ſolus eſſe. Difficile autem eſt, cum præſtare omnibus concupiueris, ſeruare æquitatem, quæ eſt iuſtitiæ maxime propria. Ex quo fit, ut neqꝫ diſceptatione uinci ſe, nec ullo publico, ac legitimo iure patiantur. Exiſtuntqꝫ in Repub. plerunqꝫ largitores & factioſi, ut opes quã maximas conſequantur, & ſint ui potius ſuperiores, quam iuſticia pares. Sed quo difficillius, hoc præclarius, nullum enim eſt tẽpus quod iuſtitia uacare debeat. Fortes igitur & magnanimi ſunt habendi, non qui faciunt, ſed qui propulſant iniuriam. Vera autẽ & ſapiens animi magnitudo honeſtũ illud, quod maxime natura ſequitur in factis poſitũ, non in gloria iudicat, principemqꝫ ſe eſſe mauult, quam uideri. Etenim ꝗ errore imperitæ multitudinis pẽdet, hic in magnis uiris nõ eſt habẽdus. Facillime autẽ ad res ĩluſtas impellitur ut quiſqꝫ eſt altiſsimo animo, & gloriæ cupido. Qui locus eſt ſane lubricus, qđ uix inuenitur, ꝗ laboribus ſuſceptis,

and not for the cōmune welthe/ it hath rather the name of madde hardyneſſe than of force and manhode. And ſo we woll that manly men ſhall be called valyaunt men, alſo good men of warre and louers of playne truthe/ and no diſcepte in them/ whiche thynges be in the meane prayſe of iuſtyce. But this one thynge is odyble, that in this hye corage and valyaunce of ſtomake/ lyghtly wylfulneſſe and ouer moche deſyre to beare rule is naturally impreſſed. For as Plato ſaythe / all the maner of the lacedemonyes is inflamed with deſyre of victorye / lyke as euery man excelleth in valyaunce of ſtomake moſte/ ſo chefely he wolde be chefe ruler of all other / and rather alone without pere. It is harde whan a man coueytes to excell all other to kepe equytie / whiche is ſpecially appropried to iuſtyce. wherfore it foloweth that they can not ſuffre them ſelfe to be conuynced neyther by diſputacyon / nor by any commen and lawfull ryght. And in a cōmenty there be commenly brybers and factyous perſones / to the ende they may obtayne greate rycheſſe / and ſuche be ſuperyours rather by vyolence / than egals and peeres by iuſtyce. But the more it is by diffycultie/the more notable / for there is no tyme that maye be without iuſtyce. Therfore they be to be taken as valyaunt men not that dothe wronge/but that reſyſteth wronge. The trewe and polytyke manlyneſſe of herte / dothe iudge that to be honeſt that moſte foloweth nature/to ſtande in dedes / and in glory and fame/ and had leuer that he ſhulde be a chefe ruler then to ſeme ſo. For he that hangeth in the errour of a multytude/he is not to be reputed amonge valyaunt men. For the hygher of herte a man is and the deſyre of glorye/the lyghtlyer he is moued to do wronges.

That place that is ſtepy / vndouted / and that ſcantely is founde / and whiche hathe receyued theues,

periculiſq; aditis, non quaſi mercedem rerum geſtarum deſyderet gloriam.

DE HIS CIRCA QVAE fortis animus & magnus uerſatur.

OMnino fortis animus & magnus, duabus rebus maxime cernitur. Quarum una in rerum externarum deſpicientia ponitur, cum perſuaſim ſit, nihil hominem, niſi quod honeſtum, decorumq; ſit, aut admirari, aut optare, aut expetere oportere, nulli neq; homini, neq; perturbatione animi, nec fortunæ ſuccumbere. Altera res eſt, ut cum ita ſis animo affectus (ut ſupra dixi) res geras magnas illas quidem & maxime utiles, ſed ut uehementer arduas, plenasq; laborum, & periculorum, tum cauſa uitæ, tum multarum cauſa rerum, quæ ad uitam pertinent. Harum rerum duarum ſplendor omnis, & amplitudo eſt, addo etiam utilitatem in poſteriore. Cauſa autem & ratio efficiens magnos uiros eſt in priore. In eo enim eſt illud quod excellentes animos & humana contemnentes facit. Id autem ipſum cernitur in duobus, ſi ſolum id, quod honeſtum ſit, bonum iudices, & ab omni animi perturbatione liber ſis. Nam & ea quæ eximia pleriſq;, & præclara uidentur, parua ducere, eaq; ratione ſtabili, firmaq; contemnere, fortis animi, magniq; dicendum eſt. Et ea, quæ uidentur acerba, quorum multa, & uaria in hominum uita fortunaq; uerſantur, ita ferre,

and aduentured vpon daungers / deſyreth glory not as a rewarde of noble actes.

¶ Of thoſe thynges aboute the whiche a bolde and valyaunt ſtomacke is exercyſed / and that theſe force reſteth in contempt bothe of proſperytie and aduerſytie / and alſo in valyaunt dedes doynge

A Manly and valyaunt ſtomake is ſpecially perceyued in two poyntes / wherof the one reſteth in the contempt of outwarde and tranſytory thynges / whan a man is fully fyxed that he ſhulde nothynge do but that is honeſt and comly / eyther prayſe or wyſſhe for / or deſyre, nor to ſtoupe for no mā / nor for no perturbacyō of mynde nor to couche to fortune. An other thynge is this / that whan thou arte ſo bende in thy mynde / as I haue ſayd before / that thou doeſt valyaunt dedes and ſuche as be very profytable / but as merueylous aduentures and ful of paynes and daungers / bothe by reaſon of peryll of lyfe / alſo many thynges that touche ieopardy of lyfe. In theſe two poyntes reſteth all honoure and fame: I adde alſo profyte in the ſeconde poynt. ¶ The cauſe and the reaſon effycient that maketh valyaūt men reſteth in the ferther poynte / for in that poynte is the thyng that maketh valyaunt ſtomakes / not regardynge worldly caſualties. ¶ This ſame thynge is perceyued in two poyntes. In caſe be thou iudge that onely that is honeſt is good / and free and voyde from all paſſyons of nature / and for to eſteme thoſe thynges which appere to all mē for the more parte excellent and famous / to be of ſmall regarde and to deſpyſe ſuche thynges by a ſtable ⁊ fyrme reaſon, it is to be iudged a ſygne of a valyaunt and māly ſtomake. And ſuche thynges as appere dolorous / wherof many and dyuers be tryed in the lyfe ⁊ fortune of mā / ſo to take them

ut nihil à ſtatuo naturæ diſcedas, nihil à dignate ſapientis, robuſti animi eſt, magnæq; conſtantiæ. Non eſt autem cōſentaneum qui metu non frangatur, cum frangi cupiditate, nec qui inuictam ſe à labore præſtiterit, uinci à uoluptate. Quamobrem & hæc utāda ſunt, & pecuniæ fugiēda cupiditas. Nihil enim eſt tam anguſti animi, tamq parui quam amare diuitias. Nihil honeſtius, magnificentiusq;, quam pecuniam contemnere, ſi nō habeas, ſi habea ad beneficentiam liberalitatemq; conferre. Cauēda eſt etiam gloriæ cupiditas, ut ſupra dixi. Eripit enim libertatem, pro qua magnanimis uiris omnis debet eſſe contentio. Nec uero imperia impetenda, ac potius non accipienda interdum, ac deponenda nonnunquam. Vacandum autem eſt omni animi perturbatione, tum cupiditate, & metu, tum etiā ægritudine & uoluptate animi & iracundia, ut tranquillitas animi adſit, & ſecuritas, quæ afferat tum conſtantiam, tum etiam dignitatem. Multi autem & ſunt, & fuerunt, qui eam quam dico tranquillitatem expetentes, a negotijs publicis ſe remouerunt, ad otiumq; profugerunt. In his & nobiliſſimi philoſophi longeq; principes, & quidam homines ſeueri & graues, nec populi nec principum mores ferre potuerunt. Vixeruntque nonnulli in agris, delectati re ſua familiari. His idem propoſitum fuit, quod regibus, ut ne qua re regerēt, ne cui paterēt, libertate uterētur, cuius propriū eſt ſic uiuere, ut uelis. Quare cum hoc cōmune ſit potētiæ cupidorū, cum his, quos dixi otioſos,

that thou recede not from the ſtate of nature / it is no thynge varyaunt fro the dignyte of a wyſe man / and it is a ſygne of a bolde ſtomake and of a great conſtaunce. It is not ſyttynge or mete that he that is ſubdued with drede / ſhulde be ſubdued with couetyſe / nor he that ſheweth hym ſelfe inuyncible in labour and payne / to be ouercome with voluptuouſneſſe: wherfore all theſe vyces are to be auoyded. And the couetyſe of money is to be fledde. For there is nothynge of ſo ſtrayte and braſed ſtomake and ſo poore as to loue rycheſſe / and nothynge more honeſt and laudable than to diſpyſe monye / thoughe thou haue it not / if thou haue it / to beſtowe it in bountyfulneſſe and lyberalyte. ¶The deſyre of glorye is alſo to be auoyded / as I haue ſayde before / for it taketh a waye lybertye / for the whiche all diſcentyon ſhulde be amonge manly and valyaunt men. Nor empyre ſhulde be deſyred / and rather not to be accept ſomtyme. Alſo ſomtyme to be lefte we ſhulde be voyde of all paſſyons of mynde / bothe fro couetyſe / drede / alſo fro dolour / and pleaſure of mynde / and fro yre / ſo that quyetneſſe and ſecurytee maye be with vs / whiche maye brynge bothe conſtaunce and dignyte.

Many bothe are and haue ben / whiche deſyringe this quyetneſſe that I ſpeake of / haue remoued them ſelfe fro buſyneſſe in the commenty / and haue fledde to reſt / amonge whome be very noble phyloſophers and chefe princes / and ſome men ſadde and of grauytye / nor they coulde abyde the manners of the people / nor of the chefe rulers. And they lyued many in the countrey delytynge in theyr priuate houſholde. ¶The ſame fortune was ordayned them that was for kynges / ſo that they ſhulde lacke nothynges / ſubiecte to no man / and vſed free lybertye / whoſe propertye is to lyue as thou wylt. Wherfore whan this is indyfferent / gyuen to the power of couetouſe men with ſuche as I called quyet /

alteri ſe adipiſci id poße arbitrantur, ſi opes magnas habeant, alteri ſi contenti ſint & ſuo, & paruo. In quo neutrorum omnino cōtemnenda eſt ſententia. Sed & facilior & tuitior, & nimis alijs grauis, aut moleſtia uita eſt ocioſorum. Fructuoſior autem hominum generi, & ad claritatem, amplitudinemq; eſt aptior, eorum qui ſe ad Remp. & ad magnas res gerendas accōmodauerunt. Qua propter & his forſitan concedendū ſit Rempub. non capeſſentibus, qui excellenti ingenio, doctrinæ ſeſe dediderunt. E his qui aut ualitudinis imbellicitate, aut aliqua grauior cauſa impediti, à Repub. receſſerunt, cū eius adminiſtrandæ poteſtatem alijs, laudemq; concederent, quibus autem talis nulla ſit cauſa, ſi deſpicere ſe dicant, ea quæ pleriq admirantur imperia, & magiſtratus, his non modo non laudi, uerumetiam uitio dandum puto, quorum iudicium i eo, quod gloriam contemnant, & pro nihilo putent, difficile factu eſt non probare. Sed uidentur labores & moleſtias, tum offenſionum, tum repulſarum, quaſi quandam ignominiam timere, & infamiam. Sunt enim qui in rebu contrarijs parum ſibi conſtent, uoluptatem ſe uerißim contemnant, in dolore ſint molliores, gloriam negligant, fragantur infamia. Atq; ea quidē non ſatis conſtanter. Sed his qui habent à natura adiumenta rerum gerendaru abiecta omni cunctatione adipiſcendi magiſtratus ſūt, & gerēda Reſpub. eſt. Nec enim aliter aut regi ciuitas, aut d clarari animi magnitudo poteſt. Capeßētibus autē Rēpu.

the other parte iudge them ſelfe to optayne the ſame if they gette great rycheſſe / the other parte if they be content bothe with that they haue / and thoughe it be lytell. Wherin the opinyon of neyther of them is to be diſpyſed. But bothe moꝛe eaſy and ſurer and leſſe paynefull and greuous is the lyfe of pryuate men in quyetneſſe. Moꝛe pꝛofytable to mankynde and moꝛe apte to honoure and dignyte is the maner of ſuche men that haue imployed them ſelfe to do valyaunt and great actes. Wherfoꝛe we muſte bothe pardon theym that take vpon them to gouerne commenytes / whiche of excellente wytte haue applyed them ſelues to lernynge / alſo to them that eyther by weakneneſſe of ſyckneſſe / oꝛ by ſome other greuous cauſe letted / haue departed fro the gouernaunce of the commenty / whan they lefte to other auctoꝛite and pꝛayſe of gouernynge it. To ſuche as haue none ſuche cauſe / if they ſaye that they diſpyſe ſuche thynges as all foꝛ the moſte parte do pꝛayſe / as empyꝛe offyces / I iudge not onely no laude / but alſo repꝛoche to be gyuen to them / whoſe iudgement in as moche as they diſpyſe gloꝛy and take it of no reputacyon: not to alowe that opinyon it is harde to do.

But they ſeme to dꝛede laboure and payne bothe of their offences / and alſo their repulſyon from dignyte / as an ignomye and infamye. Foꝛ there be ſuche that in thynges contraryous be not conſtante men / that diſpyſe vtterly pleaſure / and in aduerſyte be weaker.

They ſette nought by gloꝛye / and yet be conuynced by infamye / and all theſe not with that conſtaunce whiche becometh them. But theſe that haue by nature ayde and helpe to gouerne / all ſlackneſſe caſte away they muſt obtayne offyces / and rule commen welthes. Foꝛ none other wyſe eyther a cytie maye be gouerned oꝛ the valyaunce of ſtomake maye be ſhewed.

To ſuche as take on them the rule vpon commentyes /

nihil minus quã Philoſophis, haud ſcio an magis etiam & magnificentia, & deſpiciẽtia adhibenda ſit rerum humanarum (quam ſæpe dico) & tranquillitas animi, atq; ſecuritas. Siquidem nec anxii futuri ſunt & cũ grauitate, conſtantiaq; uicturi, quæ eo faciliora ſunt Philoſophis, quo minus patent multa in eorum uita, quæ fortuna feriat, & quo minus multis rebus egent, quia ſi quid aduerſi euenit, tam grauiter cadere non poſſũt. Quocirca non ſine cauſa maiores motus animorũ concitantur, maioraq; efficienda, Rẽpub. gerẽtibus, quam quietis, quo magis his magnitudo animi eſt adhibẽda, & uacuitas ab angoribus. Ad rẽ gerẽdã autẽ q accedit, caueat, ne id modo cõſyderet, q̃ illa res honeſta ſit, ſed etiã ut habeat efficiendi facultatem. In quo cõſyderãdũ eſt ipſi, ne aut temere deſperet ꝓpter ignauiã, aut nimis, cõfidat ꝓpter cupiditatẽ. In oĩbus autẽ negotijs priuſq; adgrediare, adhibẽda eſt præparatio diligens.

DISPVTATIO, QVA OSTENDIT res urbanas maiores eſſe bellicis, & togatorũ conſilio imperatoris laudi præponit.

SEd cum pleriq; arbitrentur res bellicas maiores eſſe quam urbanas, minuenda eſt hæc opinio. Multi enim bella quæſierunt, propter gloriæ cupiditatem, atq; in magnis animis, ingenijſq; id plerunq; contingit, eoſq; magis ſi ſunt ad rem militarem apti, & cupidi bellorum gerendorum. Vere autem ſi uolumus iudicare, multæ res extiterunt urbanæ maiores, clarioreſq; quam bellicæ.

as well as to phyloſophers/ I can not ſay to whether rather/ bothe the aduauncement & contempt of tranſytorye chaunſes be to be gyue vnto. And that I haue often repeted the tranquilyte and ſurety of mynde/ for they ſhal be ī no trouble/ and ſhall lyue with grauyte & conſtance. Which thynges be more eaſy in ſo moche to philoſophers that the leſſe that many thynges appere in their lyfe/ which fortune may ſtryke and blemyſhe/ alſo they haue leſſe nede of many thynges / and bycauſe if any aduerſyte chaũce it can not fall ſo greuouſly. Wherfore not wtout cauſe greater perturbacyons of myndes are ſtyrred/ and thynges of more weyght are to be done of ſuche as beare rule in the cõmenty/ thã to ſuche as be quyet, wherfore rather the valyaunce of ſtomake is to be gyue to thẽ and voydeneſſe from angre and grefe. He that cometh to rule a cõmenty/ let hym beware leſte he cõſydre not onely that howe honeſt the thyng is in it ſelfe / but alſo that he maye haue ſuffycyẽt power to do it/ where in it muſte be conſydred of hym, leſte he eyther without cauſe diſpayre by cowerdneſſe / or els truſt ouer moche vpon hym ſelfe for couetouſneſſe. In all maner of buſyneſſe before thou ſet vpon/ there muſt be a dyligent preparatyue.

¶ A diſputacyon wherin Tully ſheweth that gouernaũce of cytes dothe excell valyaunce in warre/ and he preferreth the polytyke counſayle of gouernours in cytes before the prayſe of chyualry.

BUt for as moche as all for the more partye iudge that feates in batayle do excell gouernaunce of cytes/ yet this opinyon muſte be modifyed, for many haue ſought many tymes warre for the deſyre of glorye / and that chaunſeth in valyaunt ſtomakes and polytyke wytties / and in ſo moche the rather if they be apte to warre and deſyrous to make warre. But if we wol iudge trewly / many thynges appere in gouernaunce of cytes more excellent and famous than of warre.

Quamuis enim Themiſtocles iure laudetur, & ſit eius nomē quam Solonis illuſtrius, citeturq́; Salamis clariſſimæ teſtis uictoriæ, quæ anteponatur cōſilio Solonis ei, quo primū conſtituit Areopagitas, non minus preclarū hoc, quā illud iudicandū eſt. Illud enim ſemel profuit, hoc ſemper proderit ciuitati. Hoc cōſilio leges Athenienſiū, hoc maiorum inſtituta ſeruantur. Et Themiſtocles quidē nihil dixit in quo ipſe Areopagū adiuuerit, at ille adiuuit Themiſtoclem. Eſt enim bellum geſtum conſilio Senatus eius, qui à Solone erat conſtitutus. Licet eadem de Pauſania, Lyſandroq́; dicere. Quorū rebus geſtis, quāquam imperium Lacedæmonijs dilatatum putatur, tamen ne minima quidem ex parte Lygurgi legibus, & diſciplinæ conferendi ſunt. Quin etiam ob has ipſas cauſas, & paratiores habuerūt exercitus & fortiores. Mihi quidem neq; pueris nobis M. Scaurus. C. Mario, neq; cū uerſaremur in Republ. Quintus Catulus Gn. Pompeio cedere uidebantur. Parua enim ſūt foris arma, niſi eſt conſiliū domi. Nec plus Africanus ſingularis & uir, & imperator, in excidenda Numantia Reip. profuit, quam eodem tempore. P. Naſica priuatus, cum Tyberiū Gracchum interemit. Quāquam hæc quidem res, non ſolum ex domeſtica eſt ratione, attingit enim & bellicam, quoniam ui, manuq́; confecta eſt, ſed tamen id ipſum geſtum eſt, conſilio urbano, ſine exercitu. Illud autem optimum eſt, in quo inuadi ſolere ab inuidis, & improbis me audio. Cedant arma togæ, concedat laurea linguæ

For thoughe Themyſtocles of ryght may be prayſed, & though his name is more famous than Solon/ and lette the cyte of Salamis be called for a wytneſſe of his very famous victory/ which may be preferred before the coūſayle of Solon/ whiche Solon fyrſt edifyed the ſchole called Areopagus in Athenes/ yet this acte of Solō is to be iudged as valyaunt as the other that Themyſtocles dyd: for the acte of Themyſtocles dyd profyte but ones. This acte that Solon dyd/ ſhall profyte euer the cyte of Athenes. By that counſayle of lerned men the lawes of Athenes/ by that counſayle the good ordre and lawes of our elders be obſerued & kept. And Themiſtocles ſayde no thynge wherby he myght ferther or helpe the ſchole called Areopagus/ but the ſchole dyd profyte Themiſtocles/ for Batayle is done by polityke coūſayle of that parliamēt that was ordeyned by Solon. And I may ſay ẏ ſame by Pauſanias & Lyſander/ by whoſe valyaunt geſtes though the empyre of Lacedemonyes is thought to be amplyfyed/ yet they are in no condycion to be compared with the lawes and lernyng of kyng Lycurgus. And for this conſyderacyō they had their armyes in more redyneſſe/ & more ſtronge. We thought whā we were but childrē that Marcus Scaurus was no leſſe valiaūt thā Caius Mariꝰ/ nor whā I gouerned ẏ comētry of Rome Quintus Catulus was not inferior to Gneus Pōpeius. For warre outforth lytell auayleth/ except wyſe coūſayle be at home. Nor Scipio Aphricane/ bothe a mā ſingler & a captayne by hym ſelfe/ dyd profyte more the cōmen welth in the diſtruction of Numātia/ than dyd Publius Naſica the ſame tyme beyng a priuate mā whā he ſlewe Tiberius Gracchus. Though this mater toucheth not onely gouernaūce at home/ but alſo warre/ for it was done by ſtrength & by hande/ yet for al that the ſelfe ſame thyng was done by coūſayle of the cyte without any army. And this is a very laudable thīge that I here that I am inuaded of enuyous perſones & lewde for this ſayeng. Let warre gyue place to policy/ & triumphe to eloquēce

Vt enim alios omittam nobis Remp. gubernantibus. Nonne togæ arma ceſſere? Neq; enim in Rep. periculum fuit grauius unquam, nec maius odium. Itaq; conſilijs diligentiaq; noſtra celeriter de manibus audaciſſimorum ciuiũ delapſa arma ceciderũt. Quæ res igitur geſta eſt unq̃ in bello tanta? quis triumphus conferendus. Licet enim mihi M. fili apud te gloriari, ad quem & hæreditas huius gloriæ, & factorum imitatio pertinet. Mihi quidẽ certe uir abundans bellicis laudibus Cn. Pompius multis audientibus hoc tribuit, ut diceret, fruſtra ſe tertiũ triumphũ deportatuturum fuiſſe, niſi meo in Rep. beneficio, ubi triumpharet, eſſet habiturus. Sũt ergo domeſticæ fortitudines nõ inferiores militaribus, in quibus plus etiã q̃ in his operæ ſtudijq; ponendũ eſt. Omnino.n. illud honeſtũ, quod ex aĩo excelſo magnificoq; quærimus, animi efficitur, non corporis uiribus. Exercendum tamen corpus, & ita adficiendum eſt, ut obedire conſilio, rationiq; poſſit, in exequendis negotijs, & in labore tollerando. Honeſtum autem id, quod exquirimus, totũ eſt poſitum in animi cura, & cogitatione. In quo non minorem utilitatem adferunt, qui togati Reipub. præſunt, quam qui bellũ gerunt. Itaq; eorum conſilio ſæpe, aut non ſuſcepta, aut confecta bella ſunt, nõnunquam autem illata, ut M. Catonis bellum tertium Punicum, in quo etiam mortuis ualuit authoritas. Quare expetẽda quidem magis eſt decernẽdi ratio, quam decertãdi fortitudo. Sed cauendum, ne id bellãdi magis fuga quam utilitatis ratione faciamus.

For that I maye let other men paſſe. Dyd not chyualry gyue place to policy whã I gouerned the cyte of Rome? for there was neuer more daũgerous peryll at any tyme nor more malyce. So ſodaynly by my coũſayle & dylygẽce the warre ſlyppyng downe / fell out of the hãdes of mad hardy men of our cyte of Rome. what acte or feate of armes was there at any tyme done ſo valyaunt? what tryumphe or cõqueſt may be compared there with? My ſone Marcus I may magnifye my ſelfe to the / to whom both thenherytaũce of this my glory & laude / alſo ymitaciõ of my ieſtes belõgeth. Gneus Pompeius a mã habundaũt in prayſe of chyualry / gaue to me this laude many dyd here / that he wolde ſaye that he ſhulde neuer optayne his thyrde tryumphe / except he had optayned it thorowe my benefyte in the cõmenty of Rome when he rode in tryumphe. Therfore the noble ieſtes at home by policy be not inferyor to the valyaũt actes in warre / in the whiche polycies we muſt beſtowe more laboure & ſtudy than feates of warre. That thyng is honeſt in euery cõdyciõ that we ſeke for of an hye & valyaũt hert, is brought to paſſe by policy of wytte / & not by ſtrẽgth of body: but for all that the body muſte be exercyſed and ſo diſpoſed that it maye obey to counſayle and reaſon in executynge of buſyneſſe and in takynge payne and laboure. That honeſty that we ſeke out / is holly beſtowed in the dilygẽt hede and ſtudy of the mynde / wherin they that be at home in their gownes bringe as moche profyte to the commune welthe as they that be actyue in warres And ſo by their counſayle ofte tymes eyther warre is not takẽ in hãde / or els dõne in dede. And ſomtyme by inuaſyon / as ye warre of Marcus Cato in the thyrde batayle with Carthage / wherin alſo his fame after his dethe dyd merueylouſly preuayle wherfore the policye of counſayle at home is more to be regarded than manhode in warre. But we muſte take hede leſte we do this rather for auoydynge of warre / than for cauſe of profyte.

Bellum autem ita ſuſcipiatur, ut nihil aliud niſi pax quaſita uideatur. Fortis uero animi, & conſtantis eſt, non perturbari in rebus aſperis, nec tumultuautem de gradu deijci, ut dicitur, ſed præſentis animi uti conſilio, nec à ratione diſcedere, quanquam hoc animi, illud etiam ingenij magni eſt, percipere cogitatione futura, & aliquanto ante cõſtituere, quid accidere poſſit in utranq; partem, & quid agendũ ſit cum quid euenerit, nec cõmittere aliquid, ut aliquãdo dicendum ſit, non putaram. Hæc ſunt opera magni animi, & excelſi, & prudentia conſilioq; fidentis. Temere autẽ in acie uerſari, & manu cum hoſte cõfligere, immane quiddam & beluarum ſimile eſt. Sed cũ tẽpus, neceſſitasq; poſtulat decertandũ manu eſt, & mors ſeruituti, turpitudiniq; anteponenda.

OFFICIVM IMPERATORIS *in bello urbeq; euertenda, diripiendaq;.*

DE euertendis autem, diripiendisq; urbibus, ualde illud conſyderandum eſt, ne quid temere, neq; crudeliter fiat. Idq; eſt uiri magnanimi, rebus agitatis punire ſontes, multitudinẽ conſeruare, in omni fortuna recta, atq; honeſta retinere. Vt enim ſũt, quemadmodum ſupra dixi, qui urbanis rebus bellicas anteponunt, ſic reperies multos, quibus periculoſa & calida conſilia quietis cogitationibus ſplẽdidiora, & maiora uideãtur. Nũquã omnino periculi fuga cõmittendum eſt, ut imbelles timidiq; uideamur. Sed fugiendũ etiã illud, ne offeramus nos periculis ſine cauſa,

warre is taken in hande for the entēt that nothynge els but peace ſemeth to be ſought, It belōgeth to a bolde & and a conſtaūt ſtomake not to be troubled in aduerſyte/ nor as a man more frayde than hurte to be caſt downe ẏ ſtayre(as they ſaye)but to vſe wyſdome of a bolde ſtomake / nor to deflecte fro reaſon. Though that one is of bolde ſtomake / the other of pollityke wytte to preuēt by forecaſt what may chaunce herafter/and ſomwhat to cōiecture before what may chaūce vpon bothe partes / and what is to be done whan any chaunce ſhal fall:nor to be ouerſene in any thing/ſo that it may be ſaid at any tyme, I thought not ẏ it ſhulde haue thus chaunſed. Theſe be the offyces of a valiaūt ſtomake and of hye corage / and that truſteth in prudence and cyrcumſpection. without cauſe to be buſyed in the forwarde / and to fyght hande to hande with thyne enemyes it is a cruell thyng & lyke to wylde beeſtes/but whā tyme and nede requyreth we muſt lay oure handes vnto it.And dethe is to be preferred before bondage and reproche.

¶ The offyce of a graunde capitayne in batayle and in diſtroyeng and ſpoylyng of a cyte/and that cruelneſſe and madhardyneſſe is clene contraryous to a man of armes.

AS touchyng the diſtruction and ſpoylyng of cyties this thyng is greatly to be cōſydred / that nothyng be done by mad hardynes nor of cruelty.And this is the offyce of a man of armes:in tyme of warre to punyſſhe offenders / and to ſaue the multytude / and in all chaunces to kepe ſtreyghtneſſe and honeſty. Lyke as there be (as I haue ſayd before)that preferre chyualry before gouernaunce of cyties,ſo that thou ſhalt fynde many to dāgerous / and polytyke counſayle ſemeth more excellent and valyaūt than quyet ſtudyes.we ought neuer vtterly ſo to offende that by reaſon of voydyng dāger/that we ſhulde ſeme cowardes and fearful.Alſo this is to be auoyded that we do not obiecte our ſelfe to peryls wͭout cauſe.

quo nihil poteſt eſſe ſtultius. Quapropter in adeundis periculis, conſuetudo imitanda medicorũ eſt, qui leuiter ægrotantes, leuiter curant, grauioribus autem morbis, periculoſas curationes, & ancipites adhibere coguntur. Quare in tranquillo tempeſtatem aduerſam optare demẽtis eſt, ſubuenire autẽ tempeſtati, quauis ratione, ſapiẽtis, ego magis, ſi plus adipiſcare re explicata boni, q̃ addubitati mali.

DIVIDIT ACTIONES, QVAE adferunt periculum, & docet quid agendum ſit.

PEriculoſæ autem rerum actiones partim his ſunt, qui eas ſuſcipiũt, partim Reipub. Item alij de uita, alij de gloria, & beneuolentia ciuium in diſcrimen uocantur. Promtiores igitur debemus eſſe ad noſtra pericula, quã ad cõmunia, dimicareq́; paratius de honore & gloria, quam de cæteris cõmodis. Inuenti autẽ multi ſunt, qui non modo pecuniam, ſed uitam etiam profundere pro patria parati eſſent. Idem gloriæ iacturã ne minimã quidẽ facere uellent, ne Reipub. quidẽ poſtulãte, ut Callicratides, qui cũ Lacedæmoniorũ dux fuiſſet, Peloponneſiaco bello, multaq́; feciſſet egregie, uertit ad extremũ omnia, cum cõſilio nõ paruit eorũ, qui claſſem ab Arginußis remouendam, nec cum Athenienſibus dimicandum putabant. Quibus ille reſpondit, Lacedæmonios claſſe illa amiſſa, aliam, parare poſſe, ſe fugere ſine ſuo dedecore non poſſe. Atq; hæc quidem Lacedæmonijs plaga mediocris fuit, illa peſtifera,

than the whiche can be nothyng more folyſſhe. wherfore in aduenturyng vpon daungers the maner of phiſycions is to be folowed / whiche with eaſy medicynes cure them that be a lytell acraſed / ⁊ they are compelled to mynyſtre daungerous ⁊ doutfull medicynes to ſyckneſſe more greuous. wherfore a man in a calme weather to wyſſhe for troublous tempeſt is ſygne of a madde man: to helpe that troublous tyme by any maner of reaſon is the property of a wyſe man. And ſo moche the rather if thou may optayne more goodneſſe (the mater well tryed) than hurte / the mater hangynge in doute.

¶ Here Tully deuydeth actions and dedes that bringeth daunger / ⁊ teacheth what is to be done / and vnder what maner perylis are to be taken in hande of a man of armes.

THe execucyon of maters is daungerous / partly to them that take them in hande / partely to the cōmen welthe / alſo ſome be called to daūger of their lyfe, ſome of their glory and beneuolēce of the cytezyns. Therfore we ought to be more redy to our owne daungers thā to the cōmen daungers / and be more redy to fyght for honour and glory thā for other cōmodities. There be many that wolde be redy to ſpende not onely their money / but alſo their lyfe for their coūtrey / and the ſame wolde not take loſſe of the leſte parte of their name / the cōmen welth not ſo requyryng. As Callicratydes which where he was capitayne of the Lacedemonyes in the batayle wone in Pelloponeſo / ⁊ had done many valyaunt actes / he ſet al vpō vi. and. vii. whan he wolde not folowe the counſayle of thē whiche wylled the nauye to be remoued from Argynuſis cytie / nor thought it neceſſary to fyght agaynſt ẏ Atheniēſes. To whō he made anſwere, that the Lacedemonyes if they loſt that nauye that they were able to optayne an other / ⁊ that he could not without his reproche flye awaye. And this was a meane fal to the Lacedemonyes / but that was a poyſonfull ⁊ plage that folowed /

qua cum Cleombrotus inuidiam timens, timere eum Epa
minunda confinxiſſet, Lacedemoniorum opes coruerunt.
Quantu Qu. Maximus melius? De quo Ennius. Vnu
homo nobis cunctando reſtituit rem. Non ponebat enim
rumores ante ſalutem. Ergo poſtꝗ magiſꝗ uiri nunc glo
ria claret.

OFFICIA ILLORVM QVI Rempublicam gerunt.

OMnino qui Republi. præfuturi ſunt, duo Platoni
præcepta teneant. Vnum ut utilitatem ciuiū ſic tue
antur, ut quicquid agunt, ad eam referant, obliti cōmodo
rum ſuorum. Alterum, ut totū corpus Reip. curent, ne d
partem aliquam tuentur, reliquas deſerant. Vt enim tute
la, ſic procuratio Reipub. ad utilitatem eorum, qui cōmi
ſunt, non ad eorum quibus cōmiſſa eſt, gerenda eſt. Q
aūt parti ciuium conſulunt, partem negligūt, rem pernic
ſiſſimam in ciuitatem inducunt, ſeditionem atꝗ diſcordi
Ex quo euenit, ut alij populares, alij ſtudioſi optimi cuiu
uideatur, pauci uniuerſorum. Hinc apud Athenienſes m
gnæ diſcordiæ ortæ. In noſtra Repub. non ſolum ſeditio
ſed peſtifera etiam bella ciuilia. Quæ grauis & fortis ci
in Repub. dignus principatu fugiet, atꝗ oderit, tradetꝗ
totū Reip. neꝗ opes, aut potentiam conſectabitur, totam
eam ſic tuebitur, ut omnibus conſulat. Nec uero criminib
falſis in odium aut inuidiam quenquam uocabit. Omni
itaꝗ iuſtitiæ, honeſtatiꝗ adhæreſcet, ut dū eam conſerue

wherin whan Cleombrotus dredynge enuy of folyſſhe hardyneſſe had a cōflycte with Epamynunda/ the royaltie of the lacedemonyes had a great fall. In howe moche better dyd Quitus Maximus/ of whome the poete Ennius writeth thus. One mā by his polityke taryeng dyd reſtore to vs romaynes the victory/ for he preferred not lyght tales before helthe. ¶Therfore after that tyme the fame of the man more and more dothe floriſſhe.

¶Tully ſheweth here the offyce of them that beare rule in the cōmenty.

Suche as beare rule in the cōmenty ſhulde obſerue two preceptꝭ of Plato. One is that they ſhal defēde ſo the welthe of the cytezyns/ that what ſo euer they do they ſhall haue euer regarde therunto/ forgettyng their owne priuate profyte. The other is that they ſhal reſpect the hole body of the cōmenty/ leſte whyles they defende the one parte they leaue the reſt diſtitute, for lyke as the defence/ ſo the procurynge of the cōmen welthe is to be referred to the profyte of them whiche be vnder their tuycion/ and not to them to whome tuycion and gouernaūce is cōmytted. For they that prouyde for one parte of the citezyns & reſpect not the other/ they induce a miſcheuous thyng in to a cyte/ as ſedycion & debate. wherof it chaūſeth that ſome ſemeth fautours of yͤ people/ ſome louers of ſuch as be good & honeſt, fewe be fautours vniuerſal. By reaſon of this amōge the Athenieſes roſe great diſcēcions/ & in our cōmenty of Rome/ not onely ſedyciōs & poyſonfull batayle amonge our ſelfe/ which incōuenyentes a ſad & a mākly cytezyn worthy to gouerne in a cōmēty wolde auoyde & abhorre, & wol gyue hym ſelfe holy to the commen welthe/ nor wyl not gape for rycheſſe nor power/ & wol defēde the comenty vpō euery ſyde/ ſo that he wol ꝓuyde for it of all ꝑtes/ nor he wol ſtyrre any mā by falſe ſurmyſes ĩto malyce or enuy/ & wol vtterly ſticke to iuſtyce & honeſty. So that whiles he doth obſerue that

quamuis grauiter offendat, mortem oppetat potius, qua
deſerat illa, quæ dixi.

AMBITIO.

MIſerima eſt omnino ambitio, honorumq́; cõtentio,
de qua præclare apud eũdem eſt Platonem, ſimili
ter facere eos, q̃ inter ſe contẽderent, uter potius Rempu
adminiſtraret, ut ſi nautæ certarent , quis eorum potiſſi
mum gubernaret. Idemq́; præcepit, ut eos aduerſarios e
memus , qui arma contra ferant , non eos qui ſuo iudici
tueri Remp. uelint, qualis fuit inter P. Africanum, & Q
Metellum ſine acerbitate diſſenſio. Nec uero audiendi ſu
qui grauiter iraſcendum inimicis putabant . Idq́; magn
nimi, & fortis uiri eſſe cenſebant, Nihil enim laudabiliu
nihil magno, & præclaro uiro dignius placabilitate , a
clementia. In liberis uero populis, & iuris æqualitate e
ercenda etiam eſt facilitas, & altitudo animi, quæ dicitu
Ne ſi iraſcamur, aut intempeſtiue accedentibus, aut impru
denter rogãtibus, in moroſitatem inutilem, & odioſam i
cidamus. Et tamen ita probanda eſt manſuetudo, atq; cle
mentia, ut adhibiatur reipub. pro cauſa ſeueritas, ſine q
adminiſtrari ciuitas non poteſt.

OFFICIVM ILLIVS, QVI in alios animaduertit.

OMnis autem & animaduerſio, & caſtigatio, cont
melia uacare debet, neq; ad eius , qui puniet aliq
uel uerbis caſtigat , ſed ad Reipublic. utilitatem referri

though he greuouſly offende/he woll deſyꝛe dethe rather than he wol foꝛſake thoſe thyges that I haue ſpoken of.

¶ Here Tully ſaythe that it is agayne theoffyce of a manly ſtomake to be noted in ambycion

AMbycion ⁊ contencion foꝛ honour is a vyce vtterly very myſerable / wherof it is excellently ſayd of ẏ ſame Plato/that they do lyke wyſe which cōtende togyther whether ſhall rather gouerne a cōmenty /as though maryners ſhulde ſtryue whiche of them ſpecially ſhulde kepe the ſterne. And the ſame Plato cōmaūdeth vs that we ſhulde eſteme thē as aduerſaryes ꝧ woll beare weapon one agayne an other / and that they are not the men whiche(in his opynion)wolde defende a cōmen welthe/ whiche maner of diſcencyon was bytwene Publiū Affricanū and Quintum Metellum/ without cruelty oꝛ great hurte. Noꝛ they are to be herde/ which thought that we ſhulde be greuouſly moued with our enemyes/ and they iudged that it belongeth to a valyaunt ⁊ a manly man. Foꝛ there is nothynge moꝛe laudable noꝛ comly ī a great and a noble man/thā peaſyblenesse ⁊ gentylneſſe, facylite and eaſyneſſe/⁊ entreatableneſſe/and that which is called the ſobꝛe coldneſſe of the mynde is to be exercyſed amōg the people that be of gentyll maner. Alſo in the equalyte and indifferēt myniſtracion of the lawe/leſte if we be angry eyther with them that come to vs out of conuenyēt tyme/oꝛ els that aſke vnwyſe queſtyons/we ſhulde ſlyp in to moꝛoſyte/yuell to pleaſe/vnpꝛofytable ⁊ odyous to other men. And not withſtandyng eaſyneſſe ⁊ gētylneſſe is ſo to be alowed that ſeueryte and roughneſſe is to be ſhewed bycauſe of a cōmen welthe / without the whiche a cytie can not be gouerned.

¶ The offyce of hym that ſhall punyſſhe other.

ALl maner of punyſſhment ⁊ coꝛrection ought to be voyd of cōtumely ⁊ diſpite / ⁊ it may not be referred to ẏ ꝓfyte of hym that ſhal puniſſhe any mā ī dede, oꝛ that doth chaſtyſe hym ī woꝛdes/but to the cōmē welth.

Cauendum eſt etiam ne maior pœna quam culpa ſit, & ne
iiſdem de cauſis alij plectatur alij ne appellentur quidem.
Prohibenda autem maxime eſt ira in puniendo. Nunquam
enim iratus, qui accedat ad pœnam, mediocritatē illam te
nebit, quæ eſt inter nimium, & parū, quæ placet Peripate
ticis, & recte placet, modo ne laudarent iracūdiam, & di
cerent utiliter à natura datam. Illa uero omnibus in rebus
repudianda eſt. Optandumq́; ut hi qui præſunt Reip. legi
ſimiles ſint, quæ ad puniēdum non iracundia, ſed æquitate
ducuntur. Atq; etiam in rebus proſperis, & ad uolupta
tem noſtram fluentibus, ſuperbiam magnopere, faſtidium,
arrogantiamq́; fugiamus. Nam ut aduerſas res, ſic ſecun
das immoderate ferre leuitatis eſt, præclaraque eſt æquabi
litas in omni uita, & idē ſemper uultus, eademque frons,
ut de Socrate, idem de C. quoq; Lælio accepimus. Philip
pum quidem Macedonū regem rebus geſtis, & gloria ſu
peratum à filio, facilitate uero & humanitate uideo ſupe
riorem fuiſſe. Itaq; alter ſemper magnus, alter ſæpe tur
piſſimus. Vt recte præcipere uideantur, qui nomen
quanto ſuperiores ſumus, tanto nos ſummiſſimus gera
mus. Panætius quidem auditorem Africanum, & fami
liarem ſuum ſolitum ait dicere, ut equos propter crebras
contentiones præliorum ferocitate exultantes, domitori
bus tradere ſoleant, ut his facilioribus poſſint uti. Si
homines ſecundis rebus effrenatos, ſibiq́; perfidentes,
tanquam in gyrum rationis & doctrinæ, duci oportere

Alſo it is to be prouyded that the punyſſhment ſhall not excede the treſpace / and leeſt for the ſame cauſe ſome be punyſſhed / ſome be reprided. Ire and paſſyon is ſpecially to be forborne in punyſſhment / for an irefull man that cōmeth to do correction neuer ſhal kepe that temperaūce whiche is bytwene ouermoche and to lytell / whiche temperaunce picaſed Ariſtotles ſchole and that ryghtfully / if ſo be they had not prayſed ire and ſayd that it was gyue by nature profytably. ¶That ire is to be renounced vtterly in all condycions / & we muſt wyſſhe that ſuche as gouerne the cōmentye maye be lyke to the lawes / which be ledde to do correction not by ire but by equytye.

And in thynges of proſperytye and ſuche as flow to our mynde / we ſhulde auoyde chefely pride / diſdayne / and arrogaunce. For as it is a ſygne of a lyght brayne to take immoderately aduerſyte / lykewyſe proſperyte / and equalyte in all our lyfe is laudable. And the ſame at all tymes countenaunce and the forheed / as we haue herde of Socrates and of Caius Lelius. I ſe that Phylyppe kynge of Macedonye was excelled in valyaunt actes and in fame / by his ſonne Alexander / but in ſoftneſſe and gentylneſſe I ſe that he excelled his ſonne. And ſo the one alwayes Alexander Magnus / the other many tymes vyllayne of leeſt reputacyon. So that they write trewe that aduyſe vs thus / that the hygher we be in auctorite / in ſo moche the lower and more humbly we ſhulde beare vs. Panecius ſaythe that he herde his ſcholer Aphricane and his famylier wonte to ſaye / that they are wonte to put their horſes (which by reaſon of often conflycte in batayle for fyerſneſſe dyd plunge and flynge out) to ſuche as were breakers of horſes / to the entent they myght vſe theym more eaſyly and gentylly. So lykewyſe men that be in proſperyte / beynge as vnbrydled and truſte to moche of them ſelfe / muſte be brought in to a compace of reaſon and lernynge

ut perſpicerēt rerum humanarum imbecillitatem, uarieta
temq; fortunæ. Atq; etiam in ſecundiſsimis rebus maxime
eſt utendum conſilio amicorum, Hiſq; maior etiam, quam
ante tribuenda eſt authoritas. Iiſdemque temporibus ca
uēdum eſt, ne aſſentatoribus patefaciamus aures, nec adu
lari nos ſinamus, in quo falli facile eſt. Tales enim nos eſſe
putamus, ut uire laudemur. Ex quo naſcuntur innumera
bilia peccata, cum homines inflati opinionibus, turpiter ir
ridentur, & maximis uerſantur erroribus. Sed hæc qui
dem hactenus. Illud autem ſic eſt iudicandum, maximas g
ri res, & maximi animi ab his qui Rempubl. regant, quod
eorum adminiſtratio latiſsime pateat, at plurimoſq; perti
neat. Eſſe autem magni animi, & fuiſſe multos etiam i
uita otioſa, qui aut inueſtigarent, aut conarentur magn
quædam, ſeq; ſuarum rerum finibus continerent, aut inte
iecti inter Philoſophos, & eos qui Rempubl. adminiſtra
rent, delectarentur re ſua familiari: non eam quidem om
ratione exaggerantes, neque excindentes ab uſu ſuos, po
tiuſq; & amicis impatientes, & reip. ſi quando uſus eſſe
Quæ primum bene parta ſit, nullo neq; turpi quæſtu, ne
odioſo, tum q̄ plurimis (modo dignis) ſe utilem præb
Deinde augeatur ratione, diligentia, parſimonia, nec lib
dini potius luxuriæq; quam liberalitati & beneficentiæ p
reat. Hæc præſcripta ſeruantem, licet magnifice, grauiter,
animoſeq; uiuere, atq; etiam ſimpliciter, fideliter, uitaque
hominum amice.

to thentent they may ſe the fragylite of tranſytory thynges/ and dyuers chaunge of fortune / and alſo in tyme of moſte proſperyte we muſt chefely vſe the coūſayle of our frendes/ and we muſt gyue to them more authorite than we dyd before. And in the ſame tymes we muſt be wyſe and ware that we open not our eares to flatterers / nor ſuffre our ſelfe to be flattered/ wherin occepcion is lyghtly founde. For we iudge our ſelfe ſuche maner of men that we maye of ryght be prayſed / wherof ryſeth innumerable offenſes whan me proude in their owne opinyon be ſhamfully had in deriſyon / and be tolled in moſte errours. But theſe be ſuffycient hytherto.

¶ This is to be iudged ſo that actes be ſpecially done / and of a manfull ſtomake of ſuche men that rule the cōmenty/ bycauſe their gouernaunce moſte euydently doth appere and pertayneth to many. And that they are and haue ben many of valyaūt ſtomake/ ye priuatly lyuyng, which eyther dyd ſerche or went about great entrepriſe, and kept them ſelfe within the bondes of their owne domynion, or els chaunced to be amonge philoſophers and ſuche as gouerned the commentye/ and delyted in their priuate houſholds at whome/ not encreaſyng it in euery condycion/ nor excludynge their frendes from the vſe therof/ and rather departynge with all to their frendes and to the cōmen welthe/ if at any tyme nede ſo requyre whiche houſholde goodes well gotten / and by no leude lyuynge nor odyous/ ferther than ſheweth hym ſelfe profytable to very many / ſo that they be worthy profyte. Ferther houſholde goodes is encreaſed by reaſon / dylygence/ honeſt ſparyng and ſauyng/ nor is not ſet vpon luſte of body / rather than to lyberalyte and bountyfulneſſe. A man that obſerueth theſe premyſſes maye lyue worſhypfully with grauyte and boldely/ and alſo playnly / trewly/ and frendly to the lyfe of man.

TEMPERANTIA.

Sequitur, ut de una reliqua parte honeſtatis dicendum ſit, in qua uerecundia, & quaſi quidam ornatus uitæ, temperantia, & modeſtia, omniſq; ſedatio perturbationũ animi, & rerum modus cernitur. Hoc loco continetur id, quod dici latine decorum poteſt, Græce enim τὸ πρέπον dicitur, huius uis eſt ea, ut ab honeſto nõ queat ſuperari. Nã & quod decet honeſtũ eſt, & qđ honeſtũ eſt decet. Qualis differentia ſit honeſti, & decori, facilius intelligi, quam explanari poteſt. Quicquid enim eſt quod deceat, id tũ apparet, cũ antegreſſa eſt honeſtas. Itaq; nõ ſolũ in hac parte honeſtatis, de qua hoc loco diſſerendũ eſt, ſed etiam in tribus ſuperioribus, qđ deceat, apparet. Nam & ratione uti, atq; oratione prudẽter, & agere quod agas conſyderate, omniq; in re quid ſit ueri uidere, & tueri decet. Coutraq; falli, errare, labi, decipi, tã dedecet, quam delirare, & mente captum eſſe. Et iuſta omnia decora ſunt, iniuſta omnia contra, ut turpia, ſic indecora. Similis eſt ratio fortitudinis. Quod enim uiriliter, animoq; magno ſit, id dignum uiro, & decorum uidetur, quod contra id, ut turpe, ſic indecorũ. Quare pertinet quidem ad omnẽ honeſtatem, hoc quod dico decorum, & ita pertinet, ut non recondita quadã ratione cernatur, ſed ſit in promptu. Eſt enim quiddã, idq; ĩtelligitur in omni uirtute, quod deceat, qđ cogitatiõe magis à uirtute poteſt, quam re ſeperari. Vt enim uetuſtas & pulchritudo corporis ſecerni non poteſt à ualitudine,

¶ Temperaunce the fourth fountayne of offyces.

IT foloweth nowe that I muſt treat of one parte of honeſty that remayneth/in the which is a baſſhfulnes or diſhoneſty & as a certayne ornament of mans lyfe Temperaũce & moderaũce and all ſetlyng and ſwagyng of the paſſyons of the mynde/and the due meaſure of all thynges is ſene. In this thyng is conteyned that thynge whiche may be called i latyn decorũ/ good & comly behanour/in greke prepon. The effecte of this is suche that it can not be ſeparat from honeſty/for bothe that which is comly is honeſt/and that whiche is honeſt is comly. what differẽce may be bytwene honeſty & comlyneſſe may better be vnderſtande than expreſſed. For what ſo euer it is that may become a man/that thã apereth whan honeſty is gone before. And ſo not onely in this parte of honeſty wherof in this place I muſt diſpute /but alſo in the thre foreſayd vertues what becometh a man doth appere:for both to vſe reaſon & comunycacyõ wyſely, and to do that thou doeſt circumſpectly / and in all condycions what is truthe it becometh a man to ſe & defende. Upon the other parte to be begyled/to erre or to ſlyp/or to be diſceyued/ it is more reproche than to dote and to be madde / and all thynges that be iuſt be comly / all thynges that be vniuſt be contrary / as thynges leude and vncomly. Lyke reaſon is of force and manlyneſſe/for that whiche is mãly done and with a bolde ſtomake/that becometh a man, and ſemeth comly. That whiche is contrarye that is reproche and vncomly. wherfore this comlyneſſe that I ſpeake of pertayneth to all maner of honeſty / and ſo it perteyneth that it maye be ſene by a reaſon not hydde/ but it is euydẽt and manyfeſt. There is a certayne thige (and that is to be vnderſtande in euery vertute)that becometh a man whiche by ymagynacion maye be rather ſeparate fro vertue than in dede. For lyke as amyableneſſe and beauty of body can not be ſeparate from helth.

ſic hoc (de quo loquimur) decorũ illud totum quidem cu uirtute confuſum, ſed mente & cogitatione diſtinguitur.

DIVISIO IPSIVS DECORI & definitio, differentiaq; inter decorum Philoſophicum & poeticum.

Est autem eius deſcriptio duplex. Nam & generale quoddã decorũ intelligimus, quod in omni honeſtate uerſatur, & aliud huic ſubiectũ, quod pertinet ad ſingula partes honeſtatis, atque illud ſuperius ſic ferè definiri ſolet. Decorũ id eſſe, quod conſentaneũ ſit hominis excellentiæ in eo, quo natura eius à reliquis animantibus differat. Quæ autẽ pars ſubiecta generi eſt, eam ſic definiunt, ut i decorũ eſſe uelint, quod ita naturæ conſentaneum ſit, ut i eo moderatio, & temperãtia appareat, cũ ſpecie quadã liberali. Nec ita intelligi à Philoſophis poſſumus, exiſtimare ex eo decore q̃d poete ſequũtur, de quo alio loco plur dici ſolẽt. Sed cũ ſeruare illud poetas dicimus, quod dec at, cũ id ꝙ quaq; perſona dignũ eſt, & fit, & dicitur, u Aeacus, aut Minos diceret. Oderint cũ metuãt. Aut na ſepulchro ipſe eſt parens. Indecorum uideretur, quod e fuiſſe iuſtos accepimus. At Atreo dicente, plauſus excit tur. Eſt enim digna perſona oratio. Sed Poetæ, quid qu deceat, ex ꝑſona iudicabunt. Nobis autẽ perſonã impoſ ipſa natura, magna cũ excellẽtia, præſtãtiaq; animãtiũ r liquorum. Quocirca Poetæ in magna uarietate, perſon rum, etiam uitioſis quid conueniat & deceat, uidebunt.

ſo this comlyneſſe wherof I ſpeke it is hole medled with vertue/but in mynde and ymagynacion it is diſtyncte.

¶ A dyuyſyon of comlyneſſe/and a difference bytwene the comlyneſſe of the phyloſopher and the poete.

The diſcerpcion therof is two maners,for there is a generall comlyneſſe which we iudge/that whiche is exercyſed in all maner of honeſty:and an other ſubiecte and inferyour therunto/which belongeth to euery ſeuerall parte of honeſty. And that comlyneſſe aforeſayd is thus defyned.That is called comly whiche is accordyng to the excellence of man / and in ſo moche as he differeth by his nature from other rude beeſtes/ ⁊ excelleth them. ¶That comlyneſſe that is ſubiecte to the generaltye thus they defyne it/that they wyl iudge that to be comly that is ſo accordynge to nature that moderaunce and temperaũce do apere in it with a certayne kynde of lyberalyte. Nor we maye not eſteme ſo to be vnderſtande of phyloſophers this comlyneſſe whiche poetes dothe folowe/ wherof more thynges are wonte to be ſpoken of in an other place. But than we ſaye that poetes obſerue that comlyneſſe that becõmeth them whan that thynge that becõmeth euery perſone is done and ſayd. As if Eacus or Minos ſhulde ſaye/they wyll hate whan they drede/ or els he hym ſelfe is to his chyldren a ſepulture or a graue / it ſhulde ſeme vncomly that we haue herde ſaye that they were iuſt men. But Atreus ſayenge/ioye with clappynge of handes is moued. That is a ſentence accordynge to the perſone. But poetes iudge comly what ſo euer becometh a mã by his perſonage. But nature hath gyuen to vs perſonage with great excellence / and paſſynge all other beeſtes. wherfore poetes in the great dyuerſytie of perſonages ſhall ſe what is conuenyent to vycyous perſones and becõmeth them.

Nobis autem cum à natura conſtantiæ, moderationis, temperantiæ, uerecundiæ, partes datæ ſint, cumq; eadem natura doceat non negligere, quemadmodum nos aduerſos homines geramus, efficitur, ut & illud quod ad omnem honeſtatem pertinet decorũ, quam late fuſum ſit, appareat, & hoc quod ſpectatur in uno quoq; genere uirtutis. Vt enim pulchritudo corporis apta compoſitione membrorum mouet oculos, & delectat hoc ipſo quod inter ſe omnes partes cum quodam lepore conſentiunt, ſic hoc decorum quod elucet in uita, mouet approbationem eorum, quibu cum uiuitur ordine & conſtantia, moderatione dictorum omniũ, atq; factorum. Adhibenda eſt igitur quædam reuerentia aduerſus homines, & optimi cuiuſq;, & reliquorũ. Nam negligere quid de ſe quiſq; ſentiat, non ſolum arrogantis eſt, ſed etiam omnino diſſoluti. Eſt autem quod diſferat in omni ratione habenda inter iuſticiam, & uerecundiam. Iuſtitiæ partes ſunt non uiolare homines, uerecundiæ non offendere, in quo maxime perſpicitur uis decori. His igitur expoſitis, quale ſit id, quod decere dicimus, intellectum puto.

VIA OFFICII, QVOD *à decoro manat, & utilitas.*

Officium autem, quod ab eo ducitur, hanc primã habet uiam, quæ deducit ad conuenientiã, conſeruationẽq; naturæ, quam ſi ſequamur ducem, nunquam aberrabimus. Sequemurq; & id quod acutum, & perſpicax natura eſt,

To vs phyloſophers where as of nature be gyuen theſe partes of conſtaunce/moderaunce/temperaunce/⁊ drede of vyce / and where as the ſame nature teacheth vs not to diſpyſe/howe we ſhulde behaue our ſelfe agayn other men/ it is concluded that bothe that comlyneſſe that belongeth to all honeſty howe manyfeſt it is dylated dothe appere / alſo that whiche is requiſyte in euery kynde of vertue. For lyke as beauty of the beutye of the body with due proporcyon of membres moueth the eyen, and delyteth them i this poynt that all partes agre togyther with a certayn comlyneſſe. So this comlyneſſe that appereth in the lyfe of mã moueth prayſe of thẽ with whome we lyue / with ordre / coſtaunce and moderaunce of all ſayenges and dedes. Therfore a certayne reuerence is to be ſhewed to men bothe of euery honeſt man and other. For a man not to regarde what any man ſaythe of hym, it is the faſſyon not onely of an arrogant perſon, but alſo of a light and diſſolute. There is a difference in euery reſpecte to be had bytwene iuſtyce and honeſty. The ptes of iuſtyce be not to wronge men/ partes of honeſty to offende no man/wherin is ſpecially perceyued the effecte of comlyneſſe and good maner. Therfore theſe thynges declared, what thynge that is which we ſaye becõmeth vs I thynke it perceyued.

¶ The waye of offyce that iſſueth out of comlyneſſe/and profyte of the ſame.

The offyce that is deduced out of this comly behauoure hath principally this waye whiche leadeth a man to a congruence and conſeruacyon of nature / whiche nature if we folowe as oure gyde / we ſhall neuer goo out of the waye / and we ſhall folowe that whiche in nature is quycke and ſharpe of ſyght /

& id quod ad hominũ conſociationem accõmodatum, & id, quod uehemẽs atq; forte. Sed maxima uis decori in hac ineſt parte, de qua diſputamus. Neq; enim ſolum corporis qui ad naturã apti ſunt, ſed multo etiam magis animi motus probandi, qui item ad naturam accommodati ſunt.

DIVIDIT MOTVS ANImorum, docens adpetitum debere parare rationi.

DVplex eſt enim uis animorũ, atq; naturæ. Vna pars in adpetitu poſita eſt, quæ ὁρμὴ Græci dicitur, quæ hominem huc & illuc rapit. Altera in ratione, quæ docet, & explanat quid faciendum, fugiendum ſit. Ita fit ut ratio præſit, adpetitus uero obtemperet. Omnis autem ratio uacare debet temeritate, & negligẽtia, nec uero agere quicq̃, cuius non poſſit cauſam probabilem reddere. Hæc eſt enim ferè deſcriptio officij. Efficiendum eſt autem ut adpetitus rationi obediant, eamq; neq; præcurrant, nec propter pigritiam, aut ignauiam deſerant, ſintq; trãquilli, atq; omni perturbatione animi careant. Ex quo elucebit omnis conſtantia, omniſq; moderatio. Nam qui adpetitus longius euagantur, & tanquam exulantes ſiue cupidiendo, ſiue fugiendo, non ſatis à ratione retinentur, hi ſine dubio finem & modum tranſeunt, relinquunt enim & abiiciunt obedientiam nec rationi parent, cui ſunt ſubiecti lege naturæ. A quibus non modo animi perturbantur, ſed etiam corpora, licet ora ipſa cernere iratorum,

and that whiche is accõmodate to the company of men/ and to that which is vehement and ſtronge. But the ſpecyall effecte of comlyneſſe reſteth ĩ this behalfe wherof I haue diſputed. Nor onely the mouynges of the body which be apte to nature/ but moche more the agylite of the mynde is to be approbate and alowed / and ſuche is applycate to nature.

¶ The agylyte of the mynde is deuyded/ teachynge the appetyte to obey to reaſon.

There is two maner of powers or agylytes of the myndes of men ⁊ nature. One parte reſteth in the appetyte of man/ which in greke tonge is called Orme/ whiche plucketh a man hyther and thyther. The other parte is ſette in reaſon / whiche teacheth and declareth what we ought to do or to flye/ ⁊ ſo it foloweth that reaſon is ruler/ ſenſualytie is a ſeruaunt obedyent. For all maner of reaſon ſhulde be voyde of folyſſhe hardyneſſe/ alſo neclygence/ nor to do any thynge wherof he can not ſhewe a cauſe probable. For this is almoſte the deſcripcion of offyce. we muſte do our dyligence that ſenſualytie and appetytes do obey to reaſon/ nor they maye ouerron reaſon /nor for ſlouthe of body or cowarde ſtomake forſake reaſon/ and they muſte be in tranquyllite/ and they muſte be voyde of all paſſyons of mynde/ wherby ſhall euydently appere all maner of conſtaunce and all moderaũce. For theſe appetytes that wander to fer as perſõs banyſſhed eyther by coueytyng or by auoydynge any thĩg they are not brydled by reaſon/ they without doubt tranſcende the due bonde of meaſure, for they leaue and caſt of obedyẽce/ nor obey to reaſon wher vnto they be ſubiecte by lawe of nature. Of the whiche appetytes not onely yͤ mynde of men be diſturbed/ but alſo the bodyes: we may perceyue by the coũtenaunce of ſuch as be moued with ire

aut eorum qui aut libidine aliqua, aut metu commoti ſunt, aut uoluptate nimia geſtunt. Quorum omniũ uultus, geſtus uoces, motus, ſtatuſq; mutantur. Ex quibus illud intelligitur (ut ad officij formam reuertamur) adeptius omnes contrahendos, ſedandoſq;, excitandaq; eſſe animaduerſionem & diligentiam, ut ne quid temere, ac fortuito, inconſyderate, negligenterq; agamus. Neq; enim ita generati à natura ſumus, ut ad ludum & iocum facti eſſe uideamur, ſed ad ſeueritatẽ potius, & ad quædam ſtudia grauiora, atq; maiora. Ludo autem & ioco illis quidem uti licet, ſed ſicut ſomno & quietibus cæteris, tum cum grauibus, ſerijſq; rebus ſatis fecerimus. Ipſumq; genus iocandi non profuſum, nec immodeſtum, ſed ingenium & facetum eſſe debet. Vt enim pueris non omnem licentiam ludendi damus, ſed eam quæ ab honeſtatis actionibus non ſit aliena, ſic in ipſo ioco aliquid probi ingenij lumen eluceat.

DVPLEX IOCANDI GENVS.

Dvplex omnino eſt iocandi genus. Vnum illiberale, petulans, flagitioſum, obſcœnum. Alterũ elegans, urbanum, ingenioſum, facetum. Quo genere non modo Plautus noſter, & Atticorum antiqua comœdia, ſed etiam Philoſophorum Socrati quorum libri referti ſunt. Multaq; multorum facete dicta, ea quæ à ſene Catone ſit collecta, quæ uocatur Apothegmata. Facilis igitur eſt diſtinctio ingenui, & illiberalis ioci. Alter eſt, ſi tempore fit, ac remiſſo animo homine dignus. Alter ne libero quidem,

or of ſuche that be moued with any luſt of body / or ſtyrred with drede / or els that ſhewe geſture by excedyng and diſſolute pleaſures / whoſe all and ſynguler countenaūce voyce / mouyng / & behauour be altred / wherof is gadred that thynge (that we may returne to the fourme of offyce and humanytie) that all appetytes muſte be brydled and mytigate / and correcyon and dylygence muſt be wakened / ſo that we ſhall do nothyng folyſſhly and at all aduentures without conſyderacion / & neglygently. For we are not borne by nature as though we ſemed to be made to playe and ſporte / but rather to grauytie and ſadneſſe / and certayne ſtudy of more weyght and greater. It is lawfull for vs to vſe ſuche play and ieſtes but as ſlepe an other quyetneſſe / at ſuche tyme whā we haue diſpatched maters of weyght and ſerious. And this maner of ieſtige and ſportyng ought not to be immoderate / but after gētyll faſſyon & manerly. For lyke as we gyue not to chyldren all wanton lycence to play / but ſuche play as is not exorbytant fro the exercyſe of honeſty / ſo that i this ſelfe ieſtyng ſome lyght of laudable diſpoſycion may appere.

¶ Ther be two maners of ieſtynge / gentyll boorde and raylynge.

There is vtterly but two maner of ieſtynges / that one carterly, ſcoldyng / vycious / and abhomynable The other clēly / manerly / wyſely / and with mery borde. In the whiche maner not onely Plautus our countreyman and the olde comedy of Athenes / but alſo the bokes of philoſophers that folowed Socrates be replenyſſhed. And many wordes of dyuers manerly ſpoken / as thoſe whiche were gathered of Cato in his olde age / which be called i greke Apothegmata. Therfore it is an eaſy diſtinctyon of a gentyll bourde & of a carterly ieſtyng. The one if it be done ī tyme and with a mery ſtomake / becōmeth a gentyll man. The other vnſyttyng for a gentyll man /

ſi rerum turpitudini adhibetur uerborum obſcœnitas.

QVOMODO LVdendum ſit.

LVdendi etiam eſt quidā modus, ut ne nimis oīa profundamus, elatiq; uoluptate, in aliquam turpitudinē dilabamur. Suppeditant autem & captus noſter, & ſtudia uenandi, honeſta exempla ludendi.

QVA RATIONE OFFICIVM, quod à decoro manat, inuenitur.

SEd pertinet ad omnem officij quæſtionem, ſemper in promptu habere, quantū natura hominis pecudibus, reliquiſq; beſtijs antecedat. Illæ enim nihil ſentiunt, niſi uoluptate, ad eamq; feruntur toto impetu, hominis aūt men diſcēdo alitur, & cogitādo ſemper aliq̄d aut inquirit, au agit, uidēdiq;, & audiendi delectatiōe ducitur. Quin eti ſi quis eſt paulo ad uoluptates propenſior, modo ne ſit e pecudū genere. Sunt enim quidā homines non re, ſed nomine. Sed ſi quis eſt paulo ad uirtutes erectior, quāuis uoluptate capiatur, occultat & diſsimulat adpetitū uoluptati propter uerecundiam. Ex quo intelligitur corporis uoluptatem nō ſatis eſſe dignam hominis præſtantia, eamq; cōtemni & reijci oportere. Sin ſit quiſpiā qui tribuat aliqu uoluptati, diligenter ſciat ei tenendem eſſe modū eius fruenda. Itaq; uictus cultuſq; corporis ad ualitudinē referetur, & ad uires, nō ad uoluptatē. Atq; etiā ſi conſyderare uolumus, quæ ſit in natura hominis excellētia & dignit

if ſo be that vyle termes be ſayned to the lewde dede of the thynges.

¶ Of the maner of playeng/wherin muſt be a temperaunce of honeſt paſtyme

Alſo there is a certayne meaſure of paſtyme ⁊ play, ſo that we by exceſſe ſhal not waſt al that we haue and enflamed with pleaſure we ſhall not fall to an yuell name. Our felde and playne countrey and exercyſe of huntynge do mynyſter vnto vs honeſt example of paſtyme and playe.

¶ By what reaſon honeſtye that iſſueth out of good behauour is founde / and that the delectacyon of the mynde is to be taken of honeſt exercyſes / the bodyly pleaſure bycauſe it is beeſtly, eyther muſt be clene caſt awaye or els very ſeldome to be folowed with temperaunce.

But it belongeth to euery queſtyon of offyce to haue in redyneſſe howe farre the nature of mā doth excell catell ⁊ other rude beeſtes: for they perceyue nothig but pleaſure ⁊ voluptuouſneſſe, ⁊ they be dryuen therto with all vyolet haſte. The mynde of mā is noryſſhed with lernyng and ſtudy euer aboute ſome thyng, eyther he enquereth or dothe/⁊ is ledde with pleaſure of ſeig or hearyng. Ferther if any man be ſomwhat more largely gyuen to pleaſure / ſo that he be not of the kynde of beeſtes: for there be certayne men not in dede / but in name. But any man is ſomwhat more vpright/though he be tangled with pleaſure / he hydeth ⁊ diſſymuleth the appetyte of his pleaſure for feare of his honeſty. wherof it is vnderſtāde that pleaſure of body is not becōmyng the excellēce of mā/and it ought to be diſpyſed ⁊ caſt away. But if ſo be ther be any mā that gyueth any regarde to pleſure, let hym knowe well that he muſt kepe meaſure in folowyng therof. Therfore meate/drinke/⁊ apparayle be applyed to the conſeruacyon of helth. And alſo if we wyll conſyder what is excellence/⁊ dignyte in the nature of man

intelligemus quam ſit turpe diffluere luxuria, & delicat ac molliter uiuere, quamq; honeſtum parce, continenter, ſeuere, ſobrie.

VARIETAS ANIMORVM,
& diuerſæ qualitates.

INtelligendum eſt etiam duabus, quaſi nos à natura indutos eſſe, perſonis. Quarum una eſt communis, ex eo quod omnes participes ſumus rationis, præſtantieq; eius, qua antecellimus beſtijs, à qua omne honeſtum, decorum trahitur, & ex qua ratio inueniendi officij exquiritur. Altera autem quæ proprie ſingulis eſt attributa. Vt en in corporibus magnæ diſſimilitudines ſunt, alios enim demus uelocitate ad curſum, alios uiribus ad luctand ualere. Itemq; in formis alijs dignitatem ineſſe, alijs ue ſtatem, ſic & in animis exiſtunt etiam maiores uarieta Erat in L. Craſſo, & in L. Philippo multus lepos, ma etiam magisq; de induſtria in C. Cæſare Lucij filio. iiſdem temporibus in M. Scauro, & in M. Druſo adul centie ſingularis ſeueritas, & in C. Lælio multa hilari in eius familiari Scipione ambitio maior, uita triſtior. Græcis autem dulcem, & facetum, feſtiuiq; ſermonis, in omni oratione ſimulatorem, quem εἴρωνα Græci nom uerunt, Socratem accepimus. Contra Pythagoram, riclem, ſummã authoritatem cõſecutos ſine ulla hilarit

we ſhall vnderſtande what reproche it is to be diſſolute in lechery/ and to lyue delycately and eaſyly. And honeſt it is to lyue hardly, contynently/ ſadly/ and ſoberly.

¶ The varyetie of myndes and dyuers qualytees. firſt he ſheweth what comlyneſſe is after nature/ as a thyng indifferent to vs and beeſtes. Seconde what it is after the excellence of mannes nature. Thirde wat becometh the perſonage and degree of euery man/ eyther gyue by nature or by chaũce/ or taken by iudgement of other.

IT is to be vnderſtãde that we be endued with two maner of perſonages by nature, wherof the one is cõmune or indyfferent/ for ſo moche that all we be partetakers of reaſõ and of the excellence therof/ wherby we ſurmoũte all beeſtes/ wherof all honeſty and comlyneſſe is drawẽ, and wherof the reaſon and meane to fynde out honeſty is boulte out. An other maner of pſonage there is that is properly attrybute to euery man ſeuerall. For lyke as there is in bodyes diſtynctiõs, for we ſe that ſome be excellent in ſwyftneſſe to ronne/ ſome in ſtrength to wraſtle/ and lykewyſe in forme and ſhappe of body/ in ſome is dignytie/ in ſome ameableneſſe. So lykewyſe in the ſoules and myndes there doth appere more dyuerſite There was in Lucius Craſſus and Lucius Philippus moche eloquence and fyled tonge/ alſo more and of purpoſe in Caius Ceſar/ ſonne to Lucius. And at the ſelfe ſeaſon in Marcus Scaurus ⁊ Marcus Druſus/ a yong ſpringolte of ſynguler grauyte. In Caius Belius moche hylarite ⁊ mery countenaũce/ and in his companion Scipyon more ambycion ⁊ more heuyer lyfe. As touchynge ỹ greciãs/ we haue herde ſay that Socrates was ſwete ⁊ ornate of ſpeche/ ⁊ all comunycacion a ſymuler/ whome ỹ grekes call irona. Cõtrarywyſe Pythagoras ⁊ Pericles optayned excelẽt authorite without mery coũtenaunce,

Callidũ Annibalem ex gente Pœnorum, ex noſtris ducib
Quintum maximũ accepimus facile celare, tacere, diſſimu
lare, inſidiari, præcipere hoſtiũ cõſilia, in quo genere Græ
Themiſtoclẽ Athenienſem, & Pheræũ Iaſonem cæteris a
teponunt. In primiſque uerſutũ, & callidũ factũ Solonis
qui quo & tutior uita eius eſſet, & plus aliquãto Reipub
prodeſſet, furere ſe ſimulauit. Sunt his alij multi diſpares
ſimplices, & aperti, qui nihil ex occulto, nihil ex inſidi
agendũ putant, ueritatis cultores, fraudis inimici. Item
que alij, qui quiduis perpetiantur, cuius deſeruiãt, dum q
uelint conſequãtur, ut Syllam, & M. Craſſũ uidebamu
Quo in genere uerſutiſſimũ, & patientiſſimũ Lacedæmo
nium Lyſandrũ accepimus. Contraq; Callicratidẽ, q præ
fectus claſſis proximus poſt Lyſandrũ fuit. Itemq; in ſe
monibus aliũ quidẽ (quãuis præpotens ſit) efficere, ut un
de multis eſſe uideatur. Quod in Catulo, & in patre, &
in filio, idemque & in Q. Mutio Numãtino uidimus. Au
diui & ex maioribus natu, hoc idem fuiſſe in P. Scipion
Naſica. Contraq; patrem eius, illum qui Tyberij Gracch
conatus perditos uindicauit, nullam comitatem habuiſſ
ſermonis. Nec non Xenocratem quidem ſeueriſſimu
Philoſophorum, ob eamque rem ipſam magnum, clarum
fuiſſe. Innumerabiles aliæ diſſimulitudines ſunt natur
morumque, minime tamen uituperandorum. Admodu
tamen tuenda ſunt ſua cuiq;, non uitioſa, ſed tantum pro
pria quo facilius decorũ illud, quod quærimus, retineatu

we rede that Hanyball was crafty and wyly/of the cyte of Chartage. Of our capytaynes Quintus Maximus coulde concele lyghtly/kepe ſylence diſſymule/lye inſydiouſly / and preuent the counſayle of his enemyes: in the whiche faſſyon the grecyons preferre Themyſtocles of Athenes/and Iaſon of the cyte of Phere before al other. And in eſpecyall the ſubtyle and crafty caſte of Solon/ whiche for the entent that he myght lyue more ſure /and do more profyte to the cōmen welthe / he countrefayte hym ſelfe to be madde. There be other men ferre vnlyke vnto theſe afore ſpoken of playne ⁊ open / whiche iudge nothynge to be done by cloked crafte/nor inſidyous diſceyte/louers of truthe/enemyes of fraude. And alſo ſome that what ſo euer they ſuffre they do pleaſure to euery man/ſo that they may optayne that they wolde haue: as I dyd ſe Scylla and Marcus Craſſus. In the whiche faſſyon we here tell of Lyſander of Lacedemony/ a turnelycke perſon and a man that myght abyde all paynes. And vpon the other ſayde, Callicratides/ which chefe capitayne of the nauye was next after Lyſander. And alſo an other by his wordes (though he beare a chefe ſtroke) that he wolde bring to paſſe that one mā myght ſeme to be of many/ whiche thyng I haue noted in Catulo/both in the father ⁊ the ſonne/and the ſame in Quinto Mucio that came fro Numātia cōutrey. And I haue herd of our ꝑdeceſſours that the ſelfe ſame thyng was ī Publio Scipione Naſica. On yͤ other parte that his father/ he that dyd reuenge the fyrſt purpoſes of Tyberius Gracchus/ that he had no gentyll faſſyon in his comunycacion. Alſo that Xenocrates moſte auſtere ⁊ roughe of all yͤ philoſophers/ ⁊ for that ſame cōſyderacion that he was take as a gret ⁊ a famous mā. There be innumerable other diſtinctions of nature ⁊ maners, ⁊ yet not to be reꝓued. To euery mā his owne maners are to be defēded/ſo that they be not vycious, but only naturall ꝓperties/wherfore we ſhal the more eaſyly obſerue that comlyneſſe that we loke for.

Sic enim eſt faciendū, ut contra naturam uniuerſam nihil cōtendamus, ea tamen ſeruata, propriā naturam conſequamur, ut etiam ſi ſint alia grauiora, atq; meliora, tamen nos ſtudia naturæ noſtræ regula metiamur. Neq; enim natura attinet regnare, nec quicq̄ ſequi, quod aſſequi nequeas. Ex quo magis emergit, quale ſit decorū illud, ideo quia nihil decet inuita (ut aiunt) Mineruę obſtante, id eſt, aduerſāte, & repugnante natura. Omnino ſi quicquam eſt decorū, nihil eſt profecto magis q̄ æquabilitas uniuerſæ, uitæ, tum ſingularū actionū, quam conſeruare non poſsis, ſi aliorum naturam imiteris, omittas tuam. Vt etenim ſermone eo debemus uti, qui natus eſt nobis, ne (ut quidam) græca uerba inculcantes, iure optimo irrideamur, ſic in actiones, omnemq; uitā nullā diſcripantiā conferre debemus. Atq; hæc differentia naturarū tantam habet uim, ut nōnunq̄ mortē ſibi ipſi aliquis conſciſcere debeat. Alius in eadē cauſſa nō debeat. Non enim alia in cauſſa M. Cato fuit, alia cæteri, qui ſe in Africa Cæſari tradiderūt. Atqui cæteris forſitan uitio datū eſſet, ſi ſe interemiſſent, ꝓpterea ꝙ eorū uita leuior, & mores fuerant faciliores. Catoni autē, cū incredibilē tribuiſſet natura grauitatē, eamq; ipſe ꝑpetua cōſtātia roboraſſet, ſemperq; in propoſito ſuſceptoq; conſilio ꝑmaſiſſet, moriēdum potius . quā tyrāni uultus aſpiciēdus fuit. Quā multa paſſus eſt Vlyſſes in illo errore diuturno, cū et mulieribus (ſi Circe & Calypſo mulieres appellandæ ſūt) inſeruiret, & in omni ſermone oībus affabilē ſe eſſe uellet,

For ſo we muſte do ẏ we ſtryue not agayne nature vniuerſal/but it kepte, lette vs folowe our propre nature, ſo that alſo if there be other thynges of more weyght and better/yet we muſt moderate the inclynacions of our nature by a rule. Nor it becōmeth a man to repugne nature/nor to folowe nothyng that thou may not attayne, wherof appereth more euydent what is this comlyneſſe. Therfore nothynge becōmeth a man where nature (as they ſaye) denyeth/ that is to ſay / where nature reſyſteth and repugneth If any thynge vtterly be comly / veryly there is nothyng more than the equalyte of this lyfe vniuerſall/alſo of all pertyculer dedes. which equalyte thou can not kepe if thou folowe the nature of other men, and lette go thyne owne. For lyke as we muſt vſe that language which is knowen to vs/ leſt (as ſome men do) we cumulatynge in greke wordes maye of very ryght be laughed to ſcorne/ſo we ſhulde brynge no diſcrepance in all our dedes and lyuynge. And this diſtynction of natures hath ſo great an effycacye / ſo that ſome tymes ſome man ſhulde kyll hym ſelfe. For Marcus Cato was not in one cauſe/ and other that yelded them ſelfe to Ceſar i an other cauſe. But other peraduenture ſhulde haue ben reproued if they had kylled them ſelfe/bycauſe their lyfe was of leſſe weyght/ and their maners were more lyght. But where nature gaue to Cato an ineſtymable grauyte and where as he hym ſelfe dyd eſtablyſſhe it with a contynuall conſtaunce / and remayned in his purpoſe and counſayle taken/ he ought rather to dye than to loke vpon the face of an enemye. Thoughe Vlyſſes ſuffered many troubles in that wandrynge longe contynued/ where as he bothe dyd folowe the pleaſure of women (if ſo be Circe and Calypſo ſhulde be called women) alſo in all his communycacyons wolde ſhewe hym ſelfe to all perſones affable and gentyll to ſpeake vnto /

domi uero & contumelias ſeruorum, ancillarumque pertulit, ut ad id aliquando, quod cupiebat, perueniret. At Aiax (quo animo traditur) millies oppetere mortem, quam illa perpeti ab alio maluiſſet. Quæ contemplantes expendere oportebit, quid quiſque habeat ſui, eaque moderari, nec uelle experiri, quam ſe aliena dedeceant, id enim maxime quenq; decet, quod eſt cuiuſq; ſuum maxime. Suum igitur quiſq; noſcat ingenium, acremq; ſe & uitiorum, & bonorũ ſuorum iudicem præbeat, ne Scenici plus, quã nos uideamur habere prudentiæ. Illi enim non optimas, ſed ſibi accommodatiſſimas fabulas eligunt. Qui enim uoce freti ſunt, Epiganos, Mede[illegible]q;, q[illegible] geſtu Mænelippam, Clytemneſtram. Semper Rutilius, quem ego memini, Antiopam, non ſæpe Aeſopus Aiacem. Ergo hiſtrio hoc uidebit in ſcena, quod non uidebit ſapiens in uita? Ad quas igitur res aptiſſimi erimus, in his potiſſimum elaborabimus. Sin aliquando neceſſitas nos ad ea detruſerit, quæ noſtri ingenij non erunt, omnis adhibenda erit cura, meditatio, diligentia, ut ea ſi non decore, at quam minime indecore facere poſſimus. Nec tam eſt enitendum, ut bona, quæ nobis [illegible]ta ſunt ſequamur, quam ut uitia fugiamus.

ALIAE PERSONAE, QVAS aut caſus imponit, aut iudicium noſtrum.

AT duabus his ꝑſonis, quas ſupra dixi, tertia adiũgitur, quã caſus aliq̃s, uel tẽpus imponit. Quarta etiã

at home he ſuffred diſpytes of his men ſeruauntes and women ſeruauntes for the entēt that he myght ones attayne to his purpoſe. But Aiax (it is ſayd he was of that mynde) had leauer dye a thouſande tymes than to ſuffre of an other ſuch thynges. which thynges we conſydring muſte pondre what euery man hath of his owne / and to modere thoſe thynges / nor wyll to put ī profe howe yuel other mens fautes become them. For that ſpecially becōmeth any man / that is moſt ſpecially apropred vnto him. Therfore let euery man knowe his naturall inclynaciō / and ſhewe hym ſelfe a quycke iudge of his fautes & his vertues / leeſt players ſeme to haue more prudēce thā we: for they electe and choſe not the beſt comedyes, but ſuche as be moſte mete for them to play. which where as they beare them bolde of their voyce do playe tragedyes / as Epigonos / Medeam / and ſuch beare them bolde of their geſture / played Menalippam / Clytemneſtram. Many tymes the poete Rutilius whome I remembre dyd play Antiopam / and ſomtyme Eſope played Aiacem. Therfore a player ſhall ſe this in playeng place, which a wyſe man ſhall not ſe in his lyfe. Therfore loke to what thynges we ſhall be moſte apte / let vs exercyſe our ſelfe moſte ſpecially therin. But if at any tyme neceſſytie thruſt or dryue vs to thoſe thynges whiche be not naturall to vs / we muſt gyue all our cure and hede / our ſtudye and dylygence that if ſo be we can not do ſuche thynges comely / yet we may do them with as lytell vncomlyneſſe as we can. Nor we maye laboure that we ſhall folowe the vertues whiche be gyuen to vs / but alſo that we maye flye the vyces.

¶ Here Tully treateth of perſonages whiche eyther chaunce endueth vs with / or els our owne iudgement.

BUt to this two perſonages wherof I haue ſpoken of before / the thyrde is adioyned / which ſome chaūce of fortune or els tyme gyueth vs. The fourth alſo is that

quam nobis metipſis iudicio noſtro accomodabimus. Na
regna, imperia, nobilitates, honores, diuitiæ, opes, eaꝗ qu
ſunt his cõtraria, in caſu ſita, temporibus gubernãtur. Ip
autem quam perſonam genere uelimus, à noſtra uolunta
proficiſcitur. Itaꝗ ſe alij ad Philoſophiam, alij ad ius ci
uile, alij ad eloquentiam applicant, ipſarumꝗ uirtutum i
alia alius mauult excellere. Quorũ uero patres aut maio
res in aliqua gloria præſtiterunt, eorum pleriꝗ in hoc ge
nere laudis ſtudẽt excellere, ut Q. Mutius P. filius in iure
ciuili, Pauli filius Africanus in re militari. Quidam autem
ad eas laudes, quas à patribus acceperunt, addunt aliqu
ſuam, ut hic idem Africanus eloquentia cumulauit bellic
gloriam. Quod idem fecit Timotheus Cononis filius, qu
cum belli laude non inferior fuiſſet, quam pater, ad ea
laudem, doctrinæ & ingenij gloriam adiecit. Fit autem
interdum, ut nonnulli omiſſa imitatione maiorum, ſuum
quoddam inſtitutum conſequantur. Maximeꝗ in eo ple
runꝗ elaborant, hi qui magna ſibi proponunt obſcuris or
ti parentibus. Hæc igitur omnia cum quærimus, quid dece
at, complecti animo & cogitatione debemus.

CONSTITVENDVM GEnus uitæ & inſtitutum.

IN primis autẽ cõſtituẽdũ eſt, quos nos, & quales eſ
uelimus, et ĩ quo genere uitæ, quæ, deliberatio eſt om
niũ difficillima. Ineũte enĩ adoleſcẽtia, cui ĩeſt maxĩa ĩbe
cillitas cõſilij, tũc id ſibi quiſꝗ genus ætatis degẽde cõſtitu

which we gyue to our ſelfe in oure opynion. For reigne/ empyre/nobylite/honoure/ rycheſſe/habundaunce / and other thynges that be contraryous to theſe that ſtand in chaunce of fortune be gouerned by tymes. Loke what perſonage we wyll take vpon vs / it ryſeth of our owne wyl. And ſo ſome applye them ſelfe to phyloſophye/ſome to lawe ciuyle/ſome to eloquēce/and ī ſome of theſe vertues one man had leauer excell than in any other. whoſe fathers dyd excell or elders in any fame / all they for the moſte partie ſtudy to excell in the ſame maner of prayſe. As Quintus Mutius the ſonne of Publius/ in lawe cyuyle. Aphricane the ſonne of Paulus / in chyualry and warre. Some adde or ioyne their owne laude to the laudes and prayſe of their fathers/as this ſame Aphricanus dyd augment by eloquence the fame that he gotte in batayle. whiche ſame thynge dyd Tymotheus the ſonne of Conon / whiche were as he was not inferyor to his father / he added to that prayſe the fame of lernynge and wytte. It chaunſeth ſomtyme that ſome men not regardynge the ymagynacion of their elders gette them ſelfe a name by actyuite. And in this behalfe they laboure cōmenly which take vpon them great actes/and come but of lowe bloode. Therfore whā we ſeke all theſe thynges we muſt compace in our mynde and ſtudye what maye become vs.

¶ Here Tully ſheweth vs that we muſt determyne the maner of our lyfe and the order therof.

FIrſt of all we muſt appoynte our ſelfe who ⁊ what maner of men we wyll be/ ⁊ ī what maner of lyfe/ whiche delyberacyon is moſte harde of all other. For whan adoleſcency ⁊ growyng age entreth vpō vs/ wherin is moſte fragylitie ⁊ weakneſſe of counſayle/ thā euery one of vs dothe determyne to hym a maner of lyuynge/

qd maxime adamauit. Itaq; ante implicatur aliquo cer
genere, curſuq; uiuendi, q̃ potuit, quod optimũ eſſe iudica
re. Nam Herculẽ Prodicus dicit (ut apud Xenophonte
cum primũ pubeſceret (quod tempus à natura ad dilige
da, quam quiſq; uitã uiuendi ſit ingreſſurus, datũ eſt) exiſ
in ſolitudinẽ atq; ibi ſedentẽ diu ſecum multũq; dubitaſſe
cũ duas cerneret uias, unã uoluptatis, alterã uirtutis, utr
ingredi melius eſſet. Hoc Herculi Iouis ſatu edito potu
fortaſſe cõtingere, nobis non idẽ qui imitamur, quos cui
uiſũ eſt atq; ad eorũ ſtudia, inſtitutaq; impellimur. Plerũ
autem parentũ præceptis imbuti, ad eorũ conſuetudine
morẽq; deducimur. Alij multitudinis iudicio feruntur, qu
maiori parti pulcherrima uidentur, ea maxime, exoptan
Nõnulli tamen, ſiue felicitate quadã, ſiue bonitate natur
ſiue parentũ diſciplina, rectã uitæ ſecuti ſunt uiã. Illud a
tem maxime rarũ genus eſt, eorũ qui aut excellente inge
magnitudine, aut præclara eruditione, atq; doctrina, a
utraq; re ornati ſpatium deliberandi habuerũt, quẽ pot
ſimum uitæ curſum ſequi uellent. In qua deliberatio
ad ſuam cuiuſq; naturam conſilium eſt omne reuocandu
Nam cum in omnibus, quæ aguntur, ex eo modo, q
quiſq; eſt natus (ut ſupra dictum eſt) quid deceat exq
rimus, tum in tota uita conſtituenda, multo eſt rei cu
maior adhibenda, ut conſtare in uitæ perpetuitate po
mus nobis metipſis, nec in ullo officio claudicare. Ad ha
autem rationem quoniam maximam uim natura habe

whiche maner he hathe loued beſt. And ſo he is lapped in ſome maner and courſe of lyuynge before he myght diſcerne what ſhulde be beſt to folowe. For Prodicias ſayth that Hercules (as it is wrytten in Xenophō) as ſone as he paſſed chyldhode / which tyme of nature is gyue to choſe what waye of lyuynge euery one of vs wyll entre / that Hercules wente in to a wyldernesse / and there ſyttynge douted longe by hym ſelfe and greatly whan he dyd ſe two wayes / the one of pleaſure the other of vertue, whether were better for hym to entre in to. This myght peraduenture chaunce to Hercules that came of Iuppiter naturally / but to vs not ſo whiche folowe them / that euery one of vs lyketh beſt and we driuen to their myndes and ordre, and for the moſte parte we be brought vp by the inſtructions of our parentes and bringers vp / we be ledde to their cuſtome and maner. Some other be driuē by the opinyon of a multytude, and they moſte ſpecially deſyre thoſe thynges that do appere cōmenly moſt laudable. And ſome not withſtandynge whether by lucke / fortune / or by goodneſſe of their nature / or els by inſtruction of their parentes haue folowed the ryght waye. This is a rare maner / in eſpecyall of thoſe men that be endued with excellent profoundeneſſe of wytte / or with ſinguler lernynge and doctryne / or els with bothe / haue had ſpace to take delyberacion what trade or courſe of lyuynge they wolde ſpecially folowe. In the which delyberacion all maner of counſayle muſte be reduced to the nature of euery man / for where as in all thynges that be doone after the maner that a man is naturally borne (as is ſayde before) we enquyre what maye become of vs / alſo greater cure and ſtudye is to gyue to the mater in ordringe the hole courſe of lyuynge / ſo that we maye be ſtable in our ſelfe in contynuaunce of our lyfe / nor halte in any poynte of honeſty. To this reaſon for as moche as nature hathe a great ſtroke

Fortuna proxima, utriuſq; omnino ratio habenda eſt in
ligendo genere uitæ, ſed naturæ magis, multo enim & fi
mior eſt, & cõſtantior, ut fortuna nonnunq̃ tanquam
mortalis, cũ immortali natura pugnare uideatur. Qu
tur ad naturæ ſuæ (non uitioſæ) genus, conſiliũ uitæ o
cõtulerit, is cõſtantiam teneat. Id enim maxime dece
forte ſe erraſſe intellexerit, in diligẽdo genere uitæ. Q
ſi acciderit (poteſt autem accidere) faciẽda morũ, inſti
rumq; mutata eſt. Eam igitur mutationẽ ſi tempora a
uabunt facilius, cõmodiusq; faciemus, ſin minus, ſenſim
pedetentimq; facienda, ut amicitias, quæ minus delect
minus probentur, magis decere cenſent ſapientes, ſe
diſſuere, quam repente præcidere. Cõmutato autẽ ge
uitæ, omni ratione curandũ eſt, ut id bono conſilio f
uideamus. Sed quoniã paulo ante dictũ eſt, imitando
maiores, primum illud exceptum ſit, ne uitia ſint imita
deinde ſi natura nõ feret, ut quædam imitari poſsint, u
periores Africani filius, qui hunc Paulo natũ adop
propter infirmitatem ualitudinis, non tam potuit pa
milis eſſe, q̃ ille fuerat ſui. Si igitur nõ poterit, cauſſa
fenſitare, ſiue populũ contionibus tenere, ſiue bella ge
illa tamen præſtare debebit, quæ erunt in ipſius poteſ
iuſtitiam, fidem, liberalitatẽ, modeſtiã, temperantiam,
minus ab eo, id qđ deſit, requiratur. Optima autẽ he
tas à patribus traditur liberis, omniq; patrimonio pra
tior, gloria uirtutis rerũq; geſtarũ, cui dedecori eſſe nef

fortune the nexte / the reſpecte of bothe muſte neceſſaryly be had in choſynge the maner of lyuyng/but rather of nature / for it is more ſtronger and more ſtable than fortune that ſomtyme mortall ſhulde ſeme to repugne with nature immortall. ¶Therfore he that applyeth all the ordre of his lyfe to the qualite of his nature not vycious/he dothe kepe conſtaunce/for that ſpecyally becõmeth man/except that he vnderſtande that he hath erred in choſynge the maner of his lyfe : whiche if it chaunce (as it may chaunce)chaunge of maners and ordre muſte be had. ¶Therfore this chaunge we ſhall make the eaſyer and more cõmodyouſly if tyme do helpe/if no/it is to be doone fayre and ſoftly / amyties and loue that leſſe delyte vs and leſſe be alowed of vs/wyſe men iudge rather to become vs by lytell and by lytell to vnripe them/than ſodaynly to cutte them awaye. ¶The chaunge in the maner of lyfe muſte be loked vpon in any wyſe / that we ſhall ſeme to do it by good delyberacyon. But for as moche as it was ſayde a lytell before that our elders are to be folowed/this fyrſt is to be excepte that their vyces are not to be folowed. Ferther if nature wyll not ſuffer that ſome muſte be folowed / as the ſonne of Aphricane beforeſayde / whiche elected hym to be his ſonne withi a lytell ſpace after his byrthe / for the infyrmytie of his ſyckneſſe / he coulde not be ſo lyke to his father as he was lyke vnto hym ſelfe. ¶Therfore if he coulde not defende his cauſes / nor kepe in fauoure hym ſelfe with the people by his oracions/or if he coulde not make batayle / yet ſuche thynges he ought to haue perfourmed as was in his power / as iuſtyce / fydelyte /lyberalyte, moderaunce, and temperaunce/ſo that that thynge mought not be requyred of hym that lacked. It is the chefe enherytaunce that is lefte vnto vs and delyuered by our fathers , and ferre more excellente than all our lyuelod / that is the glorye and fame of vertue and valyaunt dedes / to the whiche to be as a reproche /

& uitium iudicandum eſt. Et quoniam officia non eade diſparibus ætatibus tribuũtur, aliaq; ſunt iuuentũ, alia ſeniorum, aliquid etiam de diſtinctione dicẽndum eſt.

ADVLESCENtis officia.

Est igitur aduleſcentis, maiores natu uereri, ex hiſq; eligere optimos, & probatiſsimos, quorum conſili atq; authoritate nitatur. Ineuntis enim ætatis inſcitia, ſe num conſtituenda & regenda, prudentia eſt. Maxime tem hæc ætas à libidinibus arcenda eſt, exercendaq; in bore, patientiaq; et animi, & corporis, ut eorum & in licis, & ciuilibus officiis uigeat induſtria. Atq; etiam relaxare animos, & dare ſe iucunditati uolent, caueāt temperantiam, meminerint uerecundiæ, quod erit facil ſi huiuſmodi quoq; rebus maiores intereſſe uelint.

OFFICIA SENVM.

Senibus autem labores corporis ſunt minuendi, exercitationes animi etiam augendæ uidentur. Danda u opera, ut & amicos, & iuuentutem, & maxime Remp conſilio, & prudentia quamplurimam adiuuent. Nihil tem magis cauendum eſt ſenectuti, quam ne languori, ſidiæq; ſe dedat. Luxuria uero, cum omni ætati turpis ſenectuti fœdiſsima eſt. Sin autem & libidinum intem rantia acceſſerit, duplex malũ eſt, quod, & ipſa ſenect concipit dedecus, & facit aduleſcentum impudentior intemperantiam.

it is to be iudged a vyce. And for as moche as offyces not the ſame be diſtrybute to ages not lyke / and ſome be of yonge men/ſome of olde men/ſom what I muſte ſaye of this diſtynction.

¶ Here Tully ſheweth what becōmeth youthe.

Therfore it is a yonge mans offyce to drede his elders/and to pycke and choſe out the beſt and moſte alowed/to whoſe counſayle and authorite he may leane. For the ignorance of yonge age muſt be ordred and governed by prudēce of aged men. And ſpecially that yong age muſt be driuen fro ſenſuall luſtes / and muſt be exercyſed in labour and pacience bothe of mynde and body. that their dylygence maye take ſtrenght bothe in warre and peace. And whā they wyll relaxe their myndes and gyue them ſelfe to myrthe/they muſt beware of intemperaūce/remembre their honeſty: which ſhalbe eaſy to do if their elders wyll be preſent at ſuche maner of paſtymes.

¶ Here Tully teacheth what ſpecially becōmeth age.

Bodyly laboures muſte be dimyſſed in olde men/and exercyſe of the mynde ſemeth to be encreaſed. They muſte do their dylygence that bothe they ſhall kepe their frendes and youthe / and ſpecially the cōmen welthe by counſayle and prudence. There is nothynge more to be auoyded in age than fully to gyue hym to langour and ſlouthe. Lechery is ſhamefull bothe in euery age / and moſte deteſtable in olde age. And if ſo be intemperaunce of bodyly luſte come vpon a man / there is two maner of euels therof/that is that olde age it ſelfe taketh ſhame alſo maketh the intemperaunce of youthe to haue leſſe ſhame.

OFFICIA DIVERSARVM perſonarum conditionumq;.

Ac ne illud quidem alienum eſt de magiſtratum d priuatorum ciuium, de peregrinorum officijs dicer Eſt igitur proprium munus Magiſtratus, intelligere ſe gerere perſonam ciuitatis, debereq; eius dignitatem, & deco ſuſtinere, ſeruare leges, iura deſcribere, & ea fidei ſuæ co miſſa meminiſſe. Priuatum autem oportet æquo & pari ciuibus iure uiuere, neq; ſubmiſſum & abiectum, nec ſe efferentem, tum in Repub. ea uelle quæ tranquilla, & ho neſta ſunt. Talem enim & ſentire, & bonum ciuem dice ſolemus. Peregrini autem & incolæ officiũ eſt, nihil pr ter ſuum negotium agere, nihil de alio inquirere, minim in aliena eſſe Repub. curioſum. Itaq; uere officia reper entur, cum quæritur quid deceat, & quid aptum ſit pe ſonis, temporibus, ætatibus. Nihil eſt autem quod tam de ceat, quam in omni re gerenda, conſilioq; capiendo, ſer re conſtantiam.

DECORVM QVOD IN DICTIS conſiſtit, & corporis motu.

Sed quoniam decorũ illud in omnibus factis & dict in corporis deniq; motu, & ſtatu cernitur, idq; po eſt in tribus rebus, formoſitate, ordine, ornatu ad acti nem apto, difficilius ad eloquendum. Sed ſatis facile e intelligi. In his autem tribus continetur cura etiam il ut probemur ab his, quibus cum, & apud quos uiuamu

¶ Here Tully ſheweth what becõmeth the perſonage of an offycer/ a priuate man and a ſtraunger.

AND this is not cõtrary to my purpoſe to ſpeake of the offyces of ſuch as be rulers, and of priuate men of the cyte and of ſtraũgers. Therfore it is the due offyce of an offycer to conſydre that he beareth the perſonage of the cytie/ and that he is bounde to ſuſtayne and kepe his dignyte ⁊ worſhyp to kepe the lawes /and to declare the nature of the lawes/ and to remẽbre that thoſe thynges be cõmytted to his truſte. A man priuate and out of offyce muſt lyue after egall and lyke lawe with the cytezyns/ not to wyll hym ſelfe to be an vnderlynge and an abiecte / nor yet to beare hym hye/ alſo to wyll the thynges in the cõmenty whiche be touchynge peace and honeſty. To conclude / we are wonte to iudge that man a good townes man/ and ſo to call hym. Straungers and forayners offyce is no thynge to meddle with but theire owne buſyneſſe / nor to enquyre of other men, nor to be ouer buſy medlynge in a ſtraunge commenty. And ſo the offyces and dutyes of man ſhall be founde/ whan it ſhall be aſked what becõmeth a mã/ and what is mete for the perſonages of men/ tymes, ⁊ ages. For there is nothynge that ſo moche becometh a man as to kepe conſtaunce in euery thynge done, and euery counſayle takynge.

¶ Here Tully ſheweth the comlyneſſe as touchynge apparayle and mouynge of the body.

BUt for as moch as this comlyneſſe in all dedes and wordes is ſene / alſo in mouynge and behauour of the body / and reſteth in thre poyntes / in good faſſyon of body / due ordre and apparayle / apte to exercyſe of the bodye. It is harder to expreſſe, but it is eaſy ynoughe to vnderſtande. In theſe thre is compriſed all the hede and dylygence / that we maye be alowed of ſuche with whome and in whoſe houſe we lyue.

His quoq; de rebus pauca dicantur.

DECORVM A VERECUNDIA.

PRincipio corporis noſtri magnã natura ipſa uidetu habuiſſe rationẽ, quæ formam noſtrã reliquam figuram, in qua eſſet ſpecies honeſta, eam poſuit in promptu Quæ autem partes corporis ad naturæ neceſſitatem data aſpectũ eſſent deformem habituræ, atq; turpem forma eas contexit, atq; abdidit. Hanc naturæ tam diligẽtem fabricam, imitata eſt hominũ uerecundia. Quæ enim natura occultauit, eadem omnes, qui ſana mente ſunt, remouẽt a oculis, ipſiq; neceßitati dant operam, ut q̃ occultißime pareant. Quarumq; partium, corporis uſus ſunt neceſſari eas neq; parteis, neq; earũ uſus ſuis nominibus adpellant, quodq; facere nõ eſt turpe, modo occulte, id dicere obſcœnũ eſt. Itaq; nec actio rerũ illarum aperta petulantia uacat, nec orationis obſcœnitas. Nec uero audiendi ſunt Cynici, aut ſi qui fuerũt Stoici, pene Cynici, qui reprehendũ & irridẽt, quod ea, quæ turpia re nõ ſint, uerbis flagitioſa dicamus. Illa autẽ, quæ turpia ſũt noĩbus adpellemus ſui Latrocinari, fraudare, adulterare turpe eſt, ſed dicitur nõ obſcœne. Liberis dare operam, re honeſtũ eſt, nomine obſcœnũ. Pluraq; in eam ſententiam ab eiſdẽ contra uerecundiam diſputantur. Nos autẽ naturam ſequamur & ab omni quod abhorret, ab ipſa oculorũ, aurũq; comprobation fugiamus. Status, inceſſus, ſeßio, accubitio, uultus, ocul

And of theſe thynges fewe woꝛdes may be ſayd.

¶ Here Tully ſheweth that it is not honeſt that ſome partes of the body ſhulde be ſhewed/and alſo it is not honeſt that thynges ſhulde be done openly/oꝛ named openly.

AT the begynnynge it appereth that nature had a great reſpecte of our body / whiche ſet openly our foꝛme of body and all the faſſyon remaynynge / wherin ſhulde be an honeſt ſhappe/and thoſe partes of our body that were gyue to the neceſſytie of nature ſhulde haue a defoꝛmytie in ſyght, and a foule faſſyon, thoſe nature wyl haue couered and hydde. ¶ The honeſty of men in ſoule foloweth ſo dyligent a woꝛkemanſhyp oꝛ buyldynge. Foꝛ loke what nature hath hyd/euery man that is in his righte mynde wyl kepe that out of ſyght/and they folowe with dyligēt hede this neceſſytie of nature/that they may kepe ſuch thynges very cloſe of ſuch partes of the body whoſe vſe be of neceſſytie. Men name not thoſe partes noꝛ the vſe of them by their names/and that thyng which is not ſhame to do(ſo that it be done cloſely)to name it, is filthy. And ſo neyther the open doyng of ſuche thynges/noꝛ the vyle namyng therof is without leudneſſe. Noꝛ theſe doggyſſhe phyloſophers / as Diogenes ⁊ Democritus/oꝛ els Socrates ſchole almoſte doggyſſhe, if there were any of that ſecte/are not to be herde/whiche rebuke ⁊ mocke vs bycauſe we ſay that thoſe thynges which be not ſhamfull in dede/be vyle to be named in woꝛdes/and we call thoſe thynges by their name that be vyle ⁊ vycious. ¶ To robbe to defraude/to do adultery is vyle and vycious/but it is ſpoken without diſhoneſtie. A man to attende vpon his chyldꝛen is honeſt in dede / yet it is diſhoneſty in name. And ſo many thynges be diſputed after this opynion of the ſame phyloſophers that be agaynſte honeſtye. Lette vs folowe nature, and let vs flye from all thynge that abhoꝛeth /fro the cōtentyng of the eyen ⁊ the eares. Our ſtandyng/goyng/ſyttyng/lyeng/countenaūce/eyen,

manuū motus, teneant illud decorum. Quibus in rebus duo ſunt maxime fugienda, ne quid effœminatum, aut molle, aut ne quid durum, aut ruſticum ſit. Nec uero hiſtrionibus oratoribusq; concedendum eſt, ut his hæc apta ſint, nobis diſſoluta. Scenicorum quidem mos, tantum habet ueteris diſciplinæ uerecundiam, ut in ſcena ſine ſubligaculo prodeat nemo. Verentur enim ſi quo caſu euenerit, ut corporis partes quædam aperiātur, adſpiciantur non decore. Noſtro quidē more, cum parentibus puberes filij, cū ſoceris quidem generi nō lauantur. Retinenda eſt igitur huius generis uerecūdia, præſertim natura ipſa magiſtra & duce.

DVO GENERA PVLchritudinis.

CVm autem pulchritudinis duo genera ſint, quorū in altero uenuſtas ſit, in altero dignitas, uenuſtatem muliebrem ducere debemus, dignitatem uirilem. Ergo & à forma remoueatur omnis uiro non dignus ornatus, & huic ſimile uitium in geſtu motuq; caueatur. Nam & palæſtrici motus ſæpe ſunt odioſiores, & hiſtriorum nonnulli geſtus ineptijs non uacant, & in utroq; genere, quæ ſunt recta & ſimplicia laudantur. Formæ autem dignitas, coloris bonitate tuenda eſt, color exercitationibus corporis. Adhibenda eſt præterea munditia, non odioſa, neq; exquiſita nimis, tantumq; fugiat agreſtem, & inhumanam negligentiam. Eadem ratio eſt habenda ueſtitus, in quo ſicut in pleriſq; rebus, mediocritas optima eſt.

mouynge of your handes muſte kepe the comlyneſſe. In the which thynges two poyntes are ſpecially to be auoyded/that nothynge be ſhewed womanly or wãtonly/nor that nothyng ſtuburne or ruſtycall. Nor we may graunt to players and oratours that ſuche thynges be mete for them, that be diſſolute & leuds in vs. The maner of players had ſo great regarde to honeſty of the olde lernyng/ that no man myght come a brode in the playenge place without his garter, for they feared leeſt if ſo be by chaũce it ſhulde happen any pertes of the body to be bare or opẽ they ſhulde be ſene to their diſhoneſty. And after our maner the ſonnes that be paſt chyldhode be not waſſhed wᵗ the father and mother / nor the ſonne in lawe with the father and mother in lawe. Therfore this maner of honeſty muſt be kepte / ſpecially nature it ſelfe beynge our techer and our guyde.

¶ Here Tully ſheweth what forme becõmeth man and what woman/and howe it ſhulde be kept vpon bothe partes: alſo what geſture and mouynge becometh vs.

FOr as moche as there be two maner of beauties of the which in the one is amyableneſſe / in the other dignyte we muſt applye amyableneſſe to womã/dignyte to man. Therfore fro the forme of mã all apparayle not mete for a mã muſt be put awaye. And lyke vyce to this is in geſture and mouynge / for the mouynges in the tylt or place of tryall oft tyme be ſomwhat odious. And ſome ceſtes of players be not without follyes / and both maner ſuche thynges as be good and ſymple be prayſed. The dignyte of the forme of the body is to be kept with the goodneſſe of colour / the colour with the exercyſe of the body. Alſo we muſt ioyne a cleneneſſe not hatefull to other, nor ouermoche exquiſyte / and let it auoyde onely vplandyſſhe and vnmanerly negligence. The ſame reſpecte is to be had of apparayle / wherin(as in all thynges comly(meaſure is moſte laudable.

Cauendum eſt autem, aut tarditatibus utamur in greſſu
mollioribus, ut ſimiles pomparum ferculis eſſe uideamur,
aut in feſtinatiōibus ſuſcipiamus nimias celeritates. Qu
cum fiunt, anhelitus mouentur, uultus mutantur, ora tor
quentur, ex quibus magna ſignificatio fit, non adeſſe con
ſtantiam. Sed multo etiam magis elaborādum eſt, ne ani
motus à natura recedant. Quod adſequemur, ſi caueb
mus, ne in perturbationes atq; exanimationes incidiamus,
& ſi attentos animos ad decori cōſeruationem tenebimus.
Motus autem animorum duplices ſunt alteri cogitationis,
alteri adpetitus. Cogitatio in uero exquirēdo maxime uer
ſatur. Adpetitus impellit ad agendum. Curandum eſt igi
tur, ut cogitatione ad res quam optimas utamur, adpeti
tum rationi obedientem præbeamus.

DVPLEX ORATIO-
nis uis.

ET quoniam magna uis orationis eſt, eaq; duplex, alte
ra contentionis, altera ſermonis. Contentio diſcepta
tionibus tribuatur iudiciorum contionum, ſenatus. Serm
in circulis, diſputationibus, congreſsionibus familiarium
uerſetur, perſequatur etiam conuiuia. Contentionis præ
cepta Rhetorū ſunt multa, nulla ſermonis quāquam hau
ſcio an poſſunt hæc quoq; eſſe, ſed diſcentium ſtudijs inue
niūtur magiſtri. Huic autem, qui ſtudeant ſunt nulli, Rhe
torū turba referta omnia; quanquam quæ uerborū, ſenten
tiarumq; præcepta ſunt, eadem ad ſermonem pertinebunt.

we muſt beware leeſt we vſe eyther in our goynge wantō and ſlowe paſes / ſo that we maye appere lyke to them that beare their dyſſhes pompouſly / or els in haſtyneſſe we ſhall make ouer quycke celeryties / which whan they chaunce / the brethe moueth ſhorte, the coūtenaunce chaūgeth colour / the mouthe is out of forme / wherof a great token ſheweth that there is no conſtaūce. But we muſt endeuer vs the more leeſt the mouīges go fro the courſe of nature / which we ſhall attayne if we wyll eſchewe leeſt we fall in to the paſſyons of mynde and in to furyouſneſſe / alſo if we aplye our myndes to kepe comlyneſſe and honeſty. ¶ The mocyons of the mynde be two maners / the one of ymagynacion and ſtudye / the other of appetyte. ¶ The ymagynacion and ſtudy is ſpecially exercyſed in ſekyng. ¶ The appetyte moueth to be doynge. ¶ Therfore we muſte endeuer vs that we maye vſe ſtudy to thynges very honeſt / and gyue our appetyte to be obedyent to reaſon.

¶ Here Tully treateth of two maner of ſpeches / the one after the rhetoricyen eloquent / the other quotydian and vulgare.

And for as moche as the effycacy of ſpeche is great / it is deuyded in two maners / the one is of contencyon / the other of cōmunycacion. Contencyon muſte be applyed to diſceptacyon and trauers of the lawe / oracyons and ſermons of the parlyament houſe. Cōmunycacion is exercyſed in companyes that ſytteth in roūde cercles / in diſputacions / in ſembles and metynges of famylyers / and it may folowe feeſtynges & bankettes. ¶ The rules of contencyon belongeth to rhetoricyens / none of cōmunycacion / though I can not tell whether they maye be ſuche / but in the exercyſe of lerners they be founde maſters / but there is none that applyeth their mynde therto. All the multytude of rhetoricyens be replenyſſhed with contencyons / though thoſe preceptes that be of wordes & ſentēces / the ſame pertayne to cōmunycacion.

Sed cum orationis indicem uocem habeamus: In uoce au tem duo ſequamur, ut clara ſit, ut ſuauis, utrunq; omnino natura petendum eſt, uerum alterum exercitatio augebit, alterum imitatio preſſe loquentium, & leniter. Nihil aliud fuit in Catulis, ut eos exquiſito iudicio putares uti literarum quanquam erat literati, ſed & alij. Hi autem optime uti lingua latina putabantur. Sonus erat dulcis, literæ neq; expreſſæ, neq; oppreſſæ, ne aut obſcurum eſſet, aut nimis putidum, ſine contentione uox, nec languens, nec canora. Vberior oratio L. Craßi, nec minus faceta, ſed bene loquendi de Catulis opinio non miror, ſale uero conditus, & facetijs Cæſar. Catuli fratris pater uicit omnes, ut in ipſo illo forenſi genere dicendi contentiones aliorum ſermone uinceret. In omnibus igitur his elaborandum eſt, ſi in omnibus, quod deceat, exquirimus.

QVALIS SERMO, ET QVOmodo utendum eo ſit.

SIt igitur hic ſermo (in quo Socratici maxime uigent) lenis minimeq; pertinax, inſit in eo lepos. Nec uero tan quam in poſſeßionem ſuam ueneret, excludat alios. Sed cum reliquis in rebus, tum in ſermone cõmuni uicißitudine non nunquam utendum putet. At uideat in primis, quibus de rebus loquatur, ſi ſerijs, ſeueritatem adhibeat, ſi iocoſis le porem. In primis prouideat, ne ſermo uitiũ aliquod indi cet ineſſe moribus. Quod maxime tũ ſolet euenire, cũ ſtu dioſe ſe de abſentibus detrahẽdi cauſſa, aut per ridiculum

But where as we haue ẏ voyce as an enterpreter of our ſpeche/ we muſt folowe two thynges in our voyce, that it be clere/ alſo ſwete: bothe theſe we muſt deſyre of nature but exercyſe ſhall encreaſe the one/ and imitacyon the other of ſpeakīg lowe/ baſſe/ and ſmothly. There was no other thynges in the romaynes called Catule/ but that thou woldeſt iudge them of exquiſyte iudgement in lernynge/ thoughe other alſo were lerned/ for they were thought that they coulde vſe latyne tonge beſt. Their pronuncyacion was pleſaūt, their ſpeche neyther expreſſed nor confuſe/ leeſt it ſhulde haue ben eyther dymme or els ouer immoderate/ their voyce was without cōtenciō nor ſoft nor ſhyrle. The oracyon of Lucius Craſſus was more copyous and as eloquent/ but the opynyon of the fayre ſpeche of Catulus was comparable to Craſſus, Ceſar ſpeche was ſeaſoned with fyled ware. The father of Catulus brother excelled all other/ ſo that his cōtenciōs in ſpeche dyd paſſe the contēcions of other in this maner of trauers in the lawe. Therfore ī all thinges we muſt laboure if we wyll ſerche out what becōmeth vs ī all thīges.

¶ Here Tully ſheweth how famylier cōmunycacion ſhulde be moderate and ordred.

Therfore let ẏ cōmunicaciō be of this maner (wherin Socrates ſchole ſpecially dyd floriſſhe) gentyll & not ſtubburne or ſtyffe in ſelfe opinion, let clene ſpeche be in it/ nor let not the cōmunycacion occupye all tyme ī his poſſeſſyō/ & exclude other to cōmune/ but let a mā thynke thus bothe in other thynges alſo in cōmunycacyon that ſhulde be indifferēt to all other men/ ẏ we muſt vſe alternacion, that is by courſe other may intermedle cōmunycacion. But let a mā take hede ſpecially of what thynges he dothe ſpeake/ if ſo be of ſeryous & erneſtfull maters/ let hym vſe grauytie/ if of mery ieſtes/ let hym vſe mery ſpeche. And ſpecially let hym be ware leeſt his cōmenyng ſhewe any vyce in maners/ whiche ſpecially than is wōt to chaunce/ whan it is purpoſedly ſpoken of ſuche as

aut ſeuere, maledicere, contumelioſeq; dicitur. Habētur a
tem plerunq; ſermones, aut de domeſticis negotijs, aut d
Rep. aut de artiū ſtudijs, & doctrina. Danda igitur op
eſt, ut ſi etiam aberrare ad alia cœperit, ad hæc reuoce
oratio. Sed utcūq; aderūt res (neq; enim iiſdē de rebus, n
in omni tēpore, nec ſimiliter delectamur) animaduertend
eſt etiā, quatenus ſermo delectationē habeat, et ut incipi
di ratio fuerit, ita ſit deſinendi modus. Sed quoniā in om
uita rectiſſime præcipitur, ut perturbationes fugiamus, i
eſt, motus animi nimios, rationi non obtemperātes, ſit eiu
modi motibus ſermo debet uacare, ne aut ira exiſtat, aut c
piditas aliqua, aut pigritia, aut ignauia, aut q̄d tale app
reat. Maximeq; curandū eſt, ut eos, quibus cū ſermonē c
ferimus, & ueteri, & diligere uideamur. Obiurgatio
etiā nōnunquam incidiunt neceſſariæ. In quibus utendū
fortaſſe, & uocis cōtentione maiore, & uerborū grauit
acriore, id etiā agendū eſt, ut ne ea facere uideamur ir
ſed ut ad urendū & ſecandum medici ueniūt, ſic ad h
genus caſtigādi ratio, inuitiq; ueniemus. Nec unquā niſi
ceſſario, ſi nulla reperietur alia medicina. Sed tamē ira p
cul abſit, cū qua nihil recte fieri, nihil conſyderare pote
Magna autē parte clemēti caſtigatione licet uti, grauit
tamē adiūcta, ut ſeueritas adhibeatur, & cōtumelia rep
latur. Atq; etiam illud ipſū, quod acerbitatis habet obiur
gatio, ſignificandū eſt ipſius cauſſa, qui obiurgetur, ſuſcep
tum eſſe. Rectum eſt autem etiam in illis contentionibus,

be abſent bycauſe of detractyon/ or by mocke and ſcorne,
cruelly/malyciouſly/ and ſpytefully. Cōmunycacyon is
commenly eyther of houſholde maters or of the cōmen
welthe /or of the ſtudy of ſcyēce and doctryne. Therfore
we muſte take hede that if ſo be a man chaūce to dygreſſe
fro any mater/that the communycaciō be reduced to mynde
agayne. But howe ſo euer maters come to mynde / nor
we delyte not to talke ſtyll of the ſame maters/ neyther at
all tymes nor togyther / we muſte alſo marke that there
be pleaſure take in our communycacion / and lyke as the
maner of our begynnynge was/ſo muſte be the maner of
our endyng. But for as moche as it is ryght well taught
vs ī all our lyfe/that we ſhall auoyde paſſyons/that is to
ſaye ouer haſty mocyōs and ſ[illegible]mes of the mȳde, not obey=
ynge to reaſon/ſo our communycacyon muſte be voyde of
ſuche paſſyons/leeſt eyther ire may appere /or any coue=
tous effectyon or ſlouthe, or dulneſſe/ or any thynge lyke
appere. And we ſpecially regarde that we maye ſeme both
to drede and loue them wᵗ whome we cōmune and talke.
Chydynges alſo ofte chaunſeth neceſſaryly/in the which
we muſte vſe paduenture contencyon of voyce, and more
quycke grauyte of wordes: and this we muſte do that we
maye ſeme not to do it of ire. But bothe to burne and to
cutte, ꝧ is to ſay to diſtroy vyces paſt and reſtrayne other
that myght enſue / ſo we ſhall come ſeldome to this ma=
ner of correction / and that agayne our wyll /nor at any
tyme but neceſſarye/if no other medycyne maye be foūde.
But yet ire muſte be ferre of/ with the whiche ire no=
thynge can be well done/nothyng cyrcumſpectly. we may
for ꝧ moſte parte vſe gentyll correctyon / not withſtan=
dig grauyte ioyned/ſo that ſeueryte be had/and diſpyte
ſette aparte. And alſo that ſame ſharpneſſe that chy=
dynge hath muſte be ſhewed/that it is doone for his ſake
that is chydden. Alſo it is good in ſuche contencyons

quæ cum inimiciſsimis fiunt , etiam ſi nobis indigna au
mus, tamen grauitatem retinere, iracūdiam repellere. Qu
enim cum aliqua perturbatione fiunt , neq; ea conſtan
fieri poſſunt, nec ab his qui adſūt approbari. Deforme e
am eſt de ſe ipſo preclare, falſa preſertim, & cum irriſio
ne audientium, imitari militem glorioſum.

QVALIS DEBET ESSE DOmus honorati ciuis, & principis.

ET quoniam omnia perſequimur (uolumus quidem ce
te) dicendum eſt etiam quale hominis honorati , &
principis domum placeat eſſe, cuius finis eſt uſus, ad qu
accommodāda eſt ædificandi quidem deſcriptio, & tam
adhibenda dignitatis, cōmoditatiſq; diligentia. Gn. Oc
uio (qui primus ex illa familia Conſul factus eſt) hon
fuiſſe accepimus, quod præclarā ædificaſſet in palatio, &
plenam dignitatis domū, quæ cum uulgo uiſeretur ſuff
gata domino, nouo homini ad conſulatum putabatur. Ha
Scaurus demolitus, acceſsionē adiunxit ædibus. Itaq; ille
ſuam domum conſulatū primus attulit. Hic ſummi, & cla
riſsimi uiri filius, in domū multiplicatum, nō repulſam ſo
lū retulit, ſed ignominiam etiam & calamitatem. Orna
eſt enim dignitas domo, nō ex domo dignitas tota quærēd
Nec domo dominus, ſed domino domus honeſtanda eſt. E
ut in cæteris habenda ratio, non ſui ſolū ſed etiam alior
Sic in domo clari hominis, in quam & hoſpites multi rece
piendi, & admittēda hominū cuiuſque generis multitudo

which be made with our greateſt enemyes/ though we here wordes vnſyttynge by vs/ yet to kepe our grauyte and forbeare angre/ for the thynges that be done with any paſſyon neyther they can be done conſtauntly/ nor cā be alowed of ſuch as be preſent. It is a deformyte a man to make boſte of hym ſelfe, ſpecially if it be falſe & with deriſion of the hearers / and to folowe the braggynge warryour Thraſo.

¶ What maner the houſe of an honorable cytezyn and a prince ſhulde be

AND for as moch as we folowe thorowly all thiges (ſurely we wyll ſo do) we muſt alſo ſhewe of what faſſyon it may pleaſe that the houſe of an honorable man and a prince ſhulde be/ the ende wherof is the vſe therof, to the whiche vſe the diſcrypcion of buyldyng is aplyed, and not withſtandyng a dyligēt reſpecte of dignyte and cōmodyte muſt be had. we haue herde that it was honour to Caius Octauius which fyrſt of that famyly was Cōſull/ bycauſe he buylded a gorgeſſe & a goodly houſe & ful of honour in his palays / whiche after it was ſene of the cōmen people, it was thought that it gaue voyce & promoted his mayſter a newe gentylman to the opteynynge of the dignytie of a Conſull. Scaurus takynge downe that houſe/ enlarged it with more roume/ & ſo that Octauius brought that dignytie of a Conſull fyrſt of his kyn in to his owne houſe. And this Scaurus ſōne to a noble man brought in to his houſe enlarged not onely repulſe fro dignyte but alſo ſhame & myſery, for dignyte muſt be ſet forthe with the houſe / and all the dignytie is not to be ſought of the houſe/ nor the maiſter is not to be honoured for his houſe/ but the houſe for the mayſter. And lyke as in other thynges regarde is to be had not onely of a mannes owne / but alſo of other. So in the houſe of a noble man in to the whiche many geſtes be receyued / and a multytude of all maner of men muſte be lette in,

adhibenda cura eſt laxitatis. Alter enim ampla domus dedecori domino ſæpe ſit, ſi eſt in ea ſolitudo, & maxime ſi aliquando alto domino ſolita eſt frequentari. Odioſum eſt enim, cum à prætereuntibus dicitur. O domus antiqua, heu q̃ diſpari domino dominaris, quod quidẽ his temporibus in multis licet dicere. Cauendũ eſt etiam, præſertim ſi ipſe ædifices, ne extra modum ſumptu, & magnificentia prodeas, quo in genere multum mali etiam in exemplo eſt. Studioſe enim pleriq; (præſertim in hac parte) facta principum imitantur. Vt L. Luculli ſummi uiri uirtutem quis? At quam multi uillarũ magnificentiam imitati ſunt. Quarum quidem certe eſt adhibendus modus, ad mediocritatemq; reuocandus, eademque mediocritas ad omnem uſum, cultumq; uitæ referenda eſt. Sed hæc hactenus.

TRIA IN OMNI ACTIONE obſeruanda.

IN omni autem actione ſuſcipienda, tria ſunt tenenda. Primum, ut appetitus rationi pareat, quo nihil eſt ad officia conſeruanda accomidatius. Deinde, ut animaduertatur, quanta illa res ſit, quam efficere uelimus neu maior, neue minor cura, & opera ſuſcipiatur, quam cauſſa poſtulet. Tertium eſt, caueamus, ut ea, quæ pertinent ad liberalem ſpeciem, & dignitatem, moderanda ſint. Modus autem eſt optimis, decus ipſum tenere, de quo ante diximus, nec progredi longius. Horũ autem trium præſtantiſſimum eſt, appetitum obtemperare rationi.

there muſte be a reſpecte of largeſſe. Or els a large houſe is ofte a reprorche to his mayſter/ if there be in it ſoolneſſe and no recourſe/ and ſpecially if at any tyme it be wonte to be occupyed with an other mayſter. For it is odyous when it is ſayde of ſuche as paſſe bye. O thou houſe of olde tyme, of howe vnlyke a mayſter arte thou gouerned now / whiche maye be ſayde in this dayes in many houſes. Alſo thou muſte be ware (ſpecyally if thou buylde) leeſt thou excede due meaſure by ſumptuous charge and royaltye / in the whiche behalfe moche yuell faſſyon is nowe i example. For all the worlde almoſte foloweth ſtudyouſly (ſpecyally in this behalfe) the dedes of prynces. But let vs ſe who foloweth the vertue of Lucius Lucullus/ a mã very ſynguler? But howe many haue folowed the gorgeſſe buyldynge of maner places? Of the whiche a due meaſure muſte be had/ reduced to a meane/ and the ſame meane is to be referred to all the vſe and exercyſe. But theſe be ſuffycient hytherto.

¶ Thre thynges are to be obſerued in euery action and dede of this lyfe.

IN euery dede to be taken in hande thre poyntes are to be kepte. Fyrſte the appetyte ſhall obey to reaſon/ than the whiche nothynge is more accordynge to obſerue offyce and honeſty. Seconde that it may be conſydred howe great a thynge it is that we wyll brynge to paſſe / ſo that neyther more nor leſſe charge and laboure be take than the cauſe requyreth. Thyrde is that we beware that ſuche thynges that pertayne to a lyberall faſſyon and honour muſte be moderate. The beſt meaſure is to kepe vp a mannes worſhyp (wherof we haue ſpoke before) nor go no ferther. Of all theſe thre the moſte excellent thyng is [illegible] the appetyte ſhall obey to reaſon.

ORDO RERVM AC TEM- porum opportunitas.

DEinceps de ordine rerum ac temporum opport tat e dicendum eſt. Hæc autem ſcientia contin quā Græci εὐταξίαν nominăt, non hanc, quā interpreta modeſtiam, quo in uerbo modus ineſt, ſed illa eſt εὐταξία quā intelligitur ordinis cōſeruatio. Itaq; ut eādem no deſteā appellemus, ſic definitur à Stoicis, ut modeſtia entia earū rerū, quæ agentur, aut dicentur, loco ſuo co cādarum. Itaq; uidetur eadē uis ordinis, & collocatio ſore. Nam & ordinē ſic definiūt, compoſitionē rerū a & accōmodatis locis. Locū autē actionis opportunita tēporis eſſe dicūt. Tempus autē actionis opportunū G εὐκαιρία, latine appellatur occaſio. Sic fit, ut modeſtia h quam interpretamur, ita (ut dixi) ſciētia ſit opportun idoneorum ad agendū temporū. Sed poteſt eſſe eadē dētiæ definitio, de qua principio diximus. Hoc autem de moderatione, & temperantia, & alijs ſimilibu tutibus quærimus. Itaq; quæ erant prudentiæ propria ſuo dicta ſunt. Quæ autē harū uirtutū, de quibus lau dum loquimur, quæ pertinent ad uerecundiam, & ad co approbationem, quibus cum uiuimus, nunc dicenda ſunt

ORDO ACTIONVM CVM DECORO.

TAlis eſt igitur ordo actionum adhibendus, ut qu admodum in oratione conſtanti; ſic in uita ſint inter ſeſe apta, & conuenientia. Turpe eſt

¶ The order of thynges and oportunyte of tyme.

NEther of the order of thynges and opertunyte of tyme here is to be ſpoken of. ¶ This ſcyence cõteyneth that which grecyons call Eutaxian/ not that which we interpretate meaſure or moderaũce/in the which is a meane, but that is called Eutaxia, wherin is vnderſtande the kepynge of order / and ſo that we maye call the ſame meaſure or temperaũce. ¶ Thus it is defyned of Socrates ſchole / that temperaunce is a ſcyence of thoſe thynges whiche ſhall be done or ſayde/to be ſet in their due place. And ſo ſemeth the effecte of due ordre / and ſettynge in place to be the ſame thynge/for this wyſe they defyne ordre a ſettynge of thynges to gyther in place mete and agreyng. ¶ They cal a place of any dede opertunyte of tyme; ¶ The tyme of dede mete is called in greke tonge Eukeria, in latyne occaſyon. So it is that this temperaunce that we enterpretate ſo as I haue ſayd /is a ſcyẽce of oportunyte of tyme to do any thynge / but this ſame ſelfe defynycion maye be the defynycion of prudence / wherof we haue ſpoken in the begynnyng. In this place we enquyre of moderaunce and temperaunce / and other lyke vertues/and ſo thoſe thynges that were propre to prudence haue be ſpoke of in their due place. As touchynge whiche of theſe vertues wherof we haue nowe of late ſpoken/ which pertayne to honeſty, and to the prayſe of them with whome we lyue are nowe to be ſpoken of.

¶ The ordre of dedes with comlyneſſe.

THis maner of ordre of dedes is to be ioyned / that lykewyſe as in an oracyon conſtaunt and accordynge/ ſo in our lyfe lette all thynges togyther be mete and cõuenyent. For it is a deformytie

ualdeq; uitioſum in re ſeuera, cõuiuio dignū, aut delicatū aliquem inferre ſermonē. Bene Pericles cum haberet collegam in prætura Sophoclem poetā, hiq; de cõmuni officio cõueniſſent, & caſu formoſus puer præteriret, dixiſſetq; Sophocles. O puerum pulchrum Pericle. At enim Pericles, Prætorē Sophoclem docet non ſolū manus, ſed etiam oculos abſtinētes habere. Atq; hoc idem Sophocles, ſi in Athletarū approbatione dixiſſet, iuſta reprehēſione caruiſſet. Tanta uis eſt & loci & tēporis, ut ſi quis cum cauſſam ſit acturus in itinere, aut in ambulatione, ſecū ipſe, meditetur, aut ſi quid alius attentus cogitet, nō reprehēdatur. At hoc idē ſi in cõuiuio faciat, inhumanus uideatur, inſcitia temporis. Sed ea quæ multū ab humanitate diſcrepāt, ut ſi quis in foro cantet, aut ſi qua eſt alia magna ꝑuerſitas, facile apparēt, nec magnopere admonitionē, & præcepta deſyderāt. Quæ autē parua uidētur eſſe delicta, neq; à multis intelligi poſſūt, ab his eſt diligētius etiam declinandū, ut in fidibus, aut in tibijs quamuis paulū diſcrepēt, tamē id à ſciente animaduerti ſolet. Sic uidendū eſt in uita, ne forte qd diſcrepet, uel multo etiam magis, quo maior & melior actionū, quā ſonorū concētus eſt. Itaq; in fidibus muſicorum aures uel minima ſentiunt, ſic nos (ſi acres ac diligentes iudices eſſe uolumus, animaduerſoreſq; uitiorū) magna intelligimus ſæpe ex paruis. Ex oculorum obtutu, ſuperciliorum aut remiſſione, aut cõtractione, ex mæſtica, ex hilaritate, ex riſu, ex locutione, ex reticentia, ex contentione uocis,

and very vycious in a mater of grauyte to brynge communycacyō mete or a bankettynge/ for any delycate mater. Pericles ſayd well whan he had a felowe in offyce in his mayraltie called Sophocles poete. ¶They two cōmuned of their offyce bytwene them / and by chaunce a well fauoured chylde paſſed by/ and Sophocles ſayd. Oh a fayre and well fauoured chylde Perycles. ¶To the whiche Perycles ſayde. But Sophocles/ it becommeth a mayre not onely to kepe his handes but alſo his eyen cōtynent. But if Sophocles had ſpoke this in prayſe of men of armes/ he had not had this. ¶The efficacy both of place and tyme is ſuche / that if any man be aboute to pleade any cauſe/ he ſtudyeth by the waye or in walkynge alone / or if he ymagyne any thynge more ſtudyouſly / it maye not be reprehended / but if he do this ſame in bankettynge or at the tauerne / he maye ſeme unhoneſt / bycauſe he knoweth not tyme. But thoſe thynges that be ferre diſcrepaunt from humanytie / as if a man ſynge in the market place / or if any other great leudneſſe / they lyghtly appere / nor greatly deſyre monycion of preceptes. As touchynge ſuche as ſeme ſmall fautes / nor can not be perceyued of many/ we muſte obſtayne from them more dylygently: as in lutes and ſhalmes though they iarre but lytell / yet of a connynge man they are wonte to be noted. So we muſte lyue in this lyfe that nothynge diſcorde / and alſo moche more in that that the concorde of dedes is more and better than the ſoundes of tunes. And ſo as the eares of muſycions ſoone perceyue lytell fautes / ſo we (if we wyll be quycke and dylygent iudges and natayres of vyces) ſhall perceyue great vyces ofte of ſmall. By the lookes of the eyen / the hangynge downe and the knyttynge of the browes / by heauyneſſe / by merye countenaunce / by laughynge / by ſpeache / by ſylence / by contencyon of voyce /

ex ſummiſſione, ex cæteris ſimilibus, facile iudicamus, quid
apte eorū fiat, qd ab officio, naturaq; diſcrepet. Quo inge
nere non eſt incōmodum, quale quodq; eorū ſit ex alijs iu
dicare, ut ſi quid dedeceat in illos, uitemus & ipſi. Fit enim
neſcio quomodo, ut magis in alijs cernamus, quam in no
biſmetipſis, ſi quid delinquitur. Ita facillime corriguntur in
diſcēdo uitia, quorū imitantur, emendādi cauſſa, magiſtri.
Nec uero alienū eſt ad ea eligenda, quæ dubitationē affe
rūt adhibere doctos homines, uel etiā uſu peritos, & quid
his de uno quoq; genere officij, placeat exquirere. Maior
enim pars eo ferè deferri ſolet, quo à natura ipſa deduci
tur. In quibus uidendū eſt, nō modo quid quiſq; loquatur,
ſed etiā quid quiſq; ſentiat. Atq; etiā de qua cauſſa quiſq;
ſentiat. Vt enim pictores, & hi q ſigna fabricātur, & uer
etiā Poetæ, ſuū quiſq; opus à uulgo conſyderari uult, ut ſi
quid reprehenſū ſit à pluribus, id corrigatur, hi quæ ſecum
& cum alijs, quid in eo peccatū ſit, exquirūt. Sic aliorū iu
dicio permulta nobis faciēda, & non facienda, & imitāda
& corrigēda ſunt. Quæ uiro more aguntur, & inſtitutis
ciuilibus, de his nihil eſt præcipiendum. Illa enim ipſa præ
cepta ſunt. Nec quenquā hoc errore duci oportet, ut ſi qd
Socrates, aut Ariſtippus cōtra morem, conſuetudinemq; ci
uilē fecerint, locutiue ſint, idem ſibi arbitretur licere. Ma
gnis illi & diuinis bonis hanc licētiam conſequeqātur. Cy
nicorū uero ratio tota eſt eijcienda. Eſt enim inimica uere
cundiæ, ſine qua nihil rectum eſſe poteſt, nihil honeſtum,

by lowe ſpeche and by other lyke/ we may lyghtly iudge what maye be conuenyently done / what diſſeuereth fro offyce and humanitie. In the which maner it is profytable to iudge by ſome of them of what faſſyō and what euery one of them is that if ſo be any thynge becõmeth not them/ we our ſelfe maye auoyde it. For it chaunſeth I can not tell howe/ we ſe more in other men than in our ſelfe/ if any thynge be doone out of tune. So their vyces be eaſyly corrected by diſcrecyon/ whoſe vyces the mayſters do folowe for the entent of amendynge. Nor it is fer fro purpoſe to take lerned men to decyſe ſuche thynges as bryngeth ſcruple and doute/ or els ſuche as haue experyẽce by vſe/ and to enquyre of them what pleaſeth them of euery maner of offyce and honeſty to determyne. The more parte is wonte to be brought to that poynte where vnto he is brought by nature/ wherin it is to be loked vpon, not onely what euery mã ſayth/ but alſo what euery man iudgeth / and for what conſyderacyon euery man iudgeth. For as paynters and ſuch other that make ymages / and as trewe poetes wylleth euery man, that his worke ſhall be conſydred and iudged of all that cometh by / ſo that if any thynge be reproued of many it maye be correcte/ alſo they make ſerche by theym ſelfe and by other what is a myſſe therin. So by other mennes iudgemẽt many thynges are to be doone, and not to be doone / and to be folowed and ſome to be correcte. Nothynge is to be declared of ſuche thynges whiche be done by cuſtome and lawe cyuyle / for they them ſelfe be preceptes. And no mã ſhulde be ledde in this errour/ that if Socrates or Ariſtippus dyd or ſaid any thyng agayns maner & cuſtome of the cyte/ that he ſhall thyke the ſame to be laufull for hym. They optayned this lycence and large lyberty by great & excellent goodneſſe of god. The argument of theſe doggyſſhe phyloſophers is to be caſte awaye/ for it is an enemye to the drede of ſhame / without the whiche nothynge maye be iuſt/ nothynge honeſt.

Eos autem quorum uita perſpecta in rebus honeſtis, atq; magnis eſt, bene de Rep. ſentiẽtes, ac bene meritos, aut merentes, aliquo honore, aut imperio affectos, obſeruare & colere debemus, Tribuere etiam multum ſenectuti, cedere his, qui magiſtratum habebunt, habere delectum ciuis, & peregrini, in ipſo quoq; peregrino, priuatimne an publice uenerit. Ac ſummam (ne agam de ſingulis) communem totius generis humani, hominum conciliationem, & conſociationem colere, tueri, ſeruare debemus.

DE QVAESTIBVS ARTIbusq; honeſtis & inhoneſtis.

IAm de artificijs, & quæſtibus, q̃ liberales habẽdi, qui ſordidi ſint, hoc ferè accepimus. Primũ improbãtur hi quæſtus, q̃ in odia hominũ incurrũt, ut portitorũ, ut fœneratorũ. Illiberales autẽ & ſordidi quæſtus, mercenariorũ omniũ, quorũ opere, nõ quorũ artes emuntur. Eſt enim in illis ipſa merces autoramentũ ſeruitutis. Sordidi etiã putãtur, q̃ mercãtur à mercatoribus, qđ ſtatim uendant. Nihil enim proficiũt, niſi admodũ mentiãtur. Nec uero quicquam eſt turpius uanitate. Opificesq; omnes in ſordida arte uerſatur, nec uero quicquã ingenuũ poteſt habere officina, minimeq; artes probãdæ, quæ miniſtræ ſunt uoluptatũ. Cetarij, lanij, coci, ſartores, piſcatores, ut ait Terentius. Adde his ſi placet unguẽtarios, ſaltatores, totumq; ludũ talariũ. Quibus autem artibus, aut prudentia maior ineſt, aut non mediocris utilitas quæritur, ut medicina, architectura,

we muſte attende and honour them whoſe lyfe is tryed in honeſt and weyghty thynges/ well iudgynge of the cōmenty/and of ſuche as haue well deſerued/ or els that deſerue/and that haue ben put in any honour and rule. Alſo to ſhewe great reuerence to aged men / to gyue preemynence to ſuche as haue borne offyce / to haue diſtynctyon bytwene a cytezyn and a ſtraunger / and in this ſtraunger whether he come priuely or openly. ¶To conclude (bycauſe I wyll not ſpeake pertyculer) we muſte loue/defende/and kepe the cōmen reſorte and company of all mankynde.

¶Of craftes and gaynes honeſt and inhoneſt

NOwe as touchyng hande craftes and gaynes whiche are to be taken honeſt / whiche be vyle / thus moche almoſt we haue herde of. Fyrſte thoſe gaynes be reproched which ronne in hate of men/ as cuſtomers and vſurers. The gaynes be inhoneſt and vyle alſo of all hyred men/ whoſe labours not whoſe crafte and ſcyence be bought/ for in them their wages is a bonde and oblygacion of ſeruytude. They be alſo reputed vyle that bye of merchauntes/that they maye ſell out of hande / for they nothyng do gayne excepte they lye excedyngly/and there is nothynge more vyle than falſhode. And all artifycers and handy crafte men be occupyed in vyle crafte/and no ſhoppe or ſtacyon of ſale can haue any thynge that becometh a gentyll man. And ſuch craftes are not to be prayſed that be mynyſters of pleaſure / as ſuche that ſell ſeefyſſhe/bochers / cookes / podynge makers / fyſſhers / as Therence ſaythe. Ioyne to theſe if thou wylte ſuche as make oyntmentes / as potycaryes / daunſers , and all playenge at the dyce and cardes. In ſuche craftes wherin eyther more prudence is in / or els great profyte is gotten / as phyſyke / carpenters crafte /

ut doctrina rerum honeſtarũ, hæ ſunt his, quorum ordini conueniunt, hoenſtæ. Mercatura autem ſi tenuis eſt, ſordida putanda eſt. Sin magna & copioſa, multa undiq; adportans, multisq; ſine uanitate impartiens, non eſt admodum uituperanda. Atq; etiam ſi ſatiata quæſtu, uel contenta potius, ut ſæpe ex alto in portum, ex ipſo portu ſe in agros, poſſeſſionesq; contulerit, uidetur iure optimo poſſe laudari. Omnium autem rerum, ex quibus aliquid exquiritur, nihil eſt agricultura melius, nihil uberius, nihil dulcius, nihil homine libero dignius. De qua (quoniam in Catone maiore ſatis multa diximus) illinc adſumes, quæ ad hunc locum pertinebunt.

COMPARATIO DVOrum honeſtorum inter ſe.

SEd ab his partibus, quæ ſunt honeſtatis, quemadmodum officia ducerentur, ſatis expoſitum uidetur. Eorum autem ipſorum, quæ honeſta ſũt, poteſt incidere ſæpe contẽtio, & operatio de duobus honeſtis, utrũ honeſtius. Qui locus à Panætio eſt prætermiſſus. Nam cum omnis honeſtas manat à partibus quatuor, quarum una ſit cognitionis, altera cõmunitatis, tertia magnanimitatis, quarta moderationis hæ in deligendo officio inter ſe comparentur neceſſe eſt. Placet ergo aptiora eſſe naturæ ea officia, quæ ex cõmunitate, quam ea quæ ex cognitione ducantur. Idq; hoc argumento confirmari poteſt. Quod ſi contingerit ea uita ſapienti, ut omnium rerũ adfluentibus copiis ditetur,

the doctryne of honeſt thynges / theſe be vnto them to whoſe ordre they agre honeſt. Merchaūdyſe if it be ſclēder and pore / it is take as vyle / but if it be great & habundaunt/conueyeng many cōmodyties fro dyuers places, and departynge to many without diſceyte / it is not greatly to be rebuked. And alſo if it ſatiſfyed with gayne or rather content / ſo that it bryngeth ofte fro the ſee to the porte/and fro the porte hym ſelfe / and rycheſſe in to the countrey / it ſemeth that it is to be prayſed of good ryght. Of all thynges wherof any gayne is pyked out/ there is nothynge more profytable than huſbandry / nothyng more plentuous/nothyng more pleſaunt, nothyng more mete for an honeſt man. Of the which for as moche as in the elder Cato I haue ſuffyciently ſayd/out therof thou ſhalt take thynges that pertayne to this place

¶ Comparyſon of honeſtyes togyther/ and whether of them is more honeſt.

BUt of theſe partes whiche perteyneth to honeſty/ vnder what maner offyces be deduced it is ſuffyciently ſhewed. There maye a contencyon ofte chaunce of thoſe ſame thynges that be honeſt/ and a comparyſon of two honeſtyes whether is more honeſt/ which place was ouerpaſſed of Panecius. For where as al honeſty iſſueth out of foure partes / wherof one is of knowlege / the ſeconde of felowſhyppe, the thyrde of force / the fourthe of temperaunce/ it is neceſſary that theſe four in the diſtynction and electyon of offyce be compared togythers. It is myne opinyon that thoſe offyces be more agreynge to nature that cōmeth of felowſhyp/ than thoſe that cōmeth of knowlege. And that may be proued by this argument. And if ſo be that maner of lyfe may chaūce to a wyſe mā ſo that he be made ryche with all habundaūce of goodes

quamuis ea, quæ cognitione digna ſunt, ſum̃o otio ſecum ipſe conſyderet, & cõtempletur. Tamen ſi ſolitudo tanta ſit, ut hominẽ uidere non poßit, excedit è uita, princepsq; omniũ uirtutum eſt illa ſapientia, quam Græci σοφίαν uocant, Prudentia enim quam Græci φρόνησιν, aliam quadam intelligimus, quæ eſt rerum expetendarũ, fugiendarũq; ſcientia. Illa autem ſapiẽtia (quam principem dixi) rerum eſt diuinarum, atq; humanarũ ſcientia, in qua cõtinetur Deorum, & hominum cõmunitas, & ſocietas inter ipſos. Ea ſi maxima eſt (ut eſt) certe neceſſe eſt, quod à cõmunitate ducatur, officium id eſſe maximum. Etenim cognitio contemplatioq; naturæ manca quodadmodo, atq; incoata ſit, ſi actio nulla rerum conſequatur. Ea uero actio in hominum cõmodis tuendis maxime cernitur. Pertinet igitur ad ſocietatem generis humani. Ergo hæc cognitione ante ponẽda eſt. Atq; his optimus quiſq; re ipſa oſtẽdit, et iudicat. Quis eſt enim tam cupidus in perſpicienda cognoſcẽdaq; rerum natura, ut ſi ei tractanti, contemplantiq; res cognitione dignißimas ſubito ſit allatum periculum, diſcrimenq; patriæ, cui ſubuenire, opitulariq; poßit, non illa omnia relinquat, atq; adijciat, etiam ſi denumerare ſe ſtellas, aut metri mundi magnitudinem poſſe arbitretur? Atq; hoc idem in parentis, in amici re, aut periculo fecerit. Quibus rebus intelligitur ſtudijs, officijsq; ſcientiæ præponenda eſſe officia iuſticiæ, quæ pertinent ad hominum utilitatem, qua nihil homini debet eſſe antiquius. Atq; illi, quorum ſtudia,

thoughe he conſydre and beholde with hym ſelfe at his layſure ſuche thynges as be worthy by knowlege. Notwithſtandynge if there be ſo great a ſoolneſſe ſolytarye that he can not ſe a mā to company with/he wyl departe fro this lyfe/and this ſapyēce and knowlege is princeſſe of all vertues/which the grecyans cal Sophian. For we take and underſtande that prudence whiche the grecyanes call Phroneſin/is an other maner of thynge/whiche is a knowlege and experyence of thynges to be deſyred and fledde. This ſapyence whiche I called princeſſe / is the knowlege of thynges touchynge god and man, in the whiche is conteyned the company and felowſhyppe of god and men amonge them ſelfe togythers. Than if ſo be this wyſdome is chefe (as it is in dede) it is neceſſarye that that offyce and honeſty that is deduced of company and felowſhyp is chefe ⁊ princyppall: for the knowlege ⁊ contemplacion of nature is meymed ⁊ without an hande in a maner ⁊ but begon/if no acte or execucion of thynges that folowe not. This acte and execucyon is ſpecially perceyued in the defence of profytes of men. Therfore it is to be preferrred that pertayneth to the company of mankynde. Therfore it is preferred before the knowlege of man/and that ſheweth and iudgeth in dede euery good man. For who is he ſo deſyrous in ſerchynge and knowlege of the nature of thynges / that if ſo be to hym treatynge and beholdynge thynges ryght worthy knowlege/ ſodayne peryll and ieopardye of his countrey ſhulde be brought whiche he myght helpe ⁊ defēde/whether or no wolde he leaue all ſuch thīges ⁊ caſt thē a ſyde/ye though he myght nombre all the ſterres/or meaſure all the great circumference of the worlde. And this ſame he ſhulde do in the daunger and mater of his parentes and frendes. In the whiche thynges is underſtande that the offyce of iuſtyce is to be preferred before the ſtudyes and offyce of iuſtyce / whiche iuſtyce pertayneth to the profyte of men. Than the which iuſtyce nothyng ſhulde be of more antyquite and credence to man. And they whoſe ſtudyes

uitaq; omnis in rerũ cognitiõe uerſata eſt, tamẽ ab augẽdis hominũ utilitatibus, & cõmodis nõ receſſerunt. Nam & erudiere multos, quo meliores ciues utilioresq; ĩ rebus ſuis publicis eſſent, ut Thebanũ Epaminundã, Lyſias Pythagoræus, Syracuſiũ Dionem Plato, multiq; multos, noſq; ipſi, quicquid ad Remp. attulimus, ſi modo aliquid attulimus, à doctoribus, atq; doctrina inſtructi, ad eam & ornati acceſſimus. Neq; ſolũ uiui, atq; præſentes ſtudioſos diſcendi erudiũt, atq; docent, ſed hoc idem etiam poſt mortem monumẽtis literarũ adſequuntur. Nec enim locus ullus prætermiſſus eſt ab his, qui ad leges, qui ad mores, qui ad diſciplinam Reip. pertinet, ut otiũ ſuũ ad noſtrum negotiũ contuliſſe uideantur. Ita illi ipſi doctrinæ ſtudijs & ſapiẽtiæ dediti, ad hominũ utilitatem, ſuam prudentiam, intelligentiamq; potiſſimũ conferũt. Ob eam etiam cauſſam, eloqui copioſe, modo prudenter, melius eſt, quam uel acutiſſime ſine eloquẽtia cogitare, quod cogitatio in ſeipſa uertitur, eloquẽtia uero complectitur eos, quibus cum cõmunitate iũcti ſumus. Atq; ut apũ examina nõ fingendorũ fauorũ cauſſa cõgregantur, ſed cum cõgregabilia natura ſint, fingunt fauos. Sic homines ac multo etiã magis natura cõgregati, adhibent augendi, cõgregandiq; ſolertiã. Itaq; niſi ea uirtus, quæ cõſtat ex hominibus tuẽdis, id eſt, ex ſocietate generis humani, attingat rerum cognitionem, ſoliuaga cognitio & ieiuna uideatur. Itẽq; magnitudo animi remota à cõmunitate, cõiunctiõeq; humana, feritas ſit quædã et immanitas.

and all their lyfe hath be exercyſed in knowlege of thynges/yet they haue departed fro encreaſynge of profytes and commodyties of men. For bothe they haue inſtructe many to the ende they myght proue better cytezyns/and that they ſhulde be more profytable in their cauſes touchynge the cõmen welthe, as Lyſeas a ſcholer of Pythagoras dyd inſtructe Epaminunda/ Plato dyd inſtructe Dyon a ſycilyan or of Sycile/ and ſo many dyd many other. And I my ſelfe what ſo euer I haue doone for the cõmen welthe(if ſo be I haue done any thynge)I was inſtructe of my teachers and by doctryne of them/ and came to the cõmentye of Rome with honoure. And not onely theſe men by their lyfe tyme and here beynge preſent do inſtructe ſuch as be deſyrous to lerne, and teache them/but they do the ſelfe ſame thyng after their dethe/ by the monumentes of lernyng here lefte. Nor any place was ouerſlypped of them which dyd concerne the lawes the maners/and diſcyplyne of the cõmen welthe/ſo that they ſemed to beſtowe all theyr layſure vpon our cauſes and buſyneſſe. So that they their ſelfe fully gyuen to doctryne ſtudy, and wyſdome/dyd ſpecially beſtowe their prudence and intellygence to the profyte and behofe of men/ alſo for the conſyderacyon to pronounce copyouſly (ſo that it be ioyned with prudence)is better than to ſtudy though moſt effectually with cloſeneſſe, bycauſe this ſtudy doth returne to his owne ſelfe eloquẽce/wynneth ⁊ accompanyeth thoſe with whome we be famylier ſocyate. And lyke as ſwarmes of bees do accompany not to make their combes/but for as moch as they be companable by nature/ they make their hony cõbes: ſo men ⁊ moche more acõpanyed by nature, gyue a ſyngler dylygẽce to encreaſe ⁊ company togyther. And ſo except this vertue which ſtãdeth cõſtant by tuycion of men/that is to ſay of company of mãkynde aſſocyate/do attayne to the knowlege of cauſes/knowlege may ſeme wãdring alone alſo bare ⁊ ſterel/ Alſo the valyaunce of ſtomake remoued fro the company ⁊ cõuerſacyon of men, is become a fyerſneſſe ⁊ wyldneſſe.

Ita ſit, ut uincat cognitionis ſtudium, conſociatio hominu atq; cõmunitas. Nec uerum eſt quod dicitur à quibuſdam, propter neceßitatem uitæ, quod ea, quæ natura deſyderaret, conſequi ſine alijs, atq; efficere non poſſemus, idcirco iſtam eſſe cum hominibus communitatem & ſocietatem. Quod ſi omnia nobis, quæ ad uictum, cultumq; pertinent, quaſi uirgula diuina (ut aiunt) ſuppeditarentur, tum optimo quiſq; ingenio, negotijs omnibus omißis, totum ſe in cognitione, & ſcientia collocaret, non eſt ita. Nam & ſolitudinem fugeret; & ſocium ſtudij quæreret, tum docere, tum diſcere uellet, tum audire, tum dicere. Ergo omne officium, quod ad coniunctionem hominum, & ad ſocietatem tuẽdam ualet, anteponendum eſt illi officio, quod cognitione, & ſcientia continetur.

AN IVSTITIA VERECVNDIÆ, modeſtiæq; præponenda ſit.

Illud forſitan quærendum ſit, num hæc cõmunitas, quæ maxime eſt apta naturæ, ſit etiam moderationi, modeſtiæq; ſemper anteponenda. Non placet. Sunt enim quæda ita fœda, partim ita flagitioſa, ut ea ne conſeruandæ quidem patriæ cauſſa ſapiens facturus ſit. Ea Poßidonius collegit permulta, ſed ita tetra quædã, ita obſcœna, ut dictu quoq; uideatur turpia. Hæc igitur non ſuſcipiet quiſquam Reipub. cauſſa, nec Reſpub. quidẽ pro ſe ſuſcipi uolet. Sed hæc cõmodius ſe res habet, quod non poteſt accidere tempus, ut interſit Reip. quicquam illorum facere ſapientem.

So it foloweth that the conuerſacion of men ſurmounteth the ſtudy of knowlege. For that is trewe that is ſayd of ſome mē for the neceſſyte of our lyfe/bycauſe we coulde not get without the ayde of other / and bringe to effecte ſuch thynges as nature wolde deſyre / therfore they ſay that this company and conuerſacyon is had with other men. But if it myght ſo chaunce that all thynge that longeth to our lyuynge and apparayle were gyuen to vs/as who ſaythe of goddes hande/than euery man of gentyll nature (all buſyneſſe layde a parte) wolde beſtowe hym ſelfe holly in knowlege and ſcyence: it is not ſo / for he wolde flye fro ſolytaryneſſe & ſoole beyng / and wolde ſeke out a felowe of his ſtudy/he wolde bothe teache & lerne, alſo bothe here and ſpeake. ¶ Therfore all offyces that is of any power to kepe and contynue the company of man is to be preferred before the offyce that is comprysed in kowlege and ſcyence.

¶ Whether iuſtyce is to be preferred before drede of ſhame and temperaunce.

This queſtyon peraduenture maye be aſked / whether this company whiche is moſte apte to nature muſte alſo be preferred before moderaunce and temperaunce. ¶ That pleaſeth not me/for there be ſome ſo filthy ſome ſo villaynous that a wyſe man wyll not do them/ no not for the loue that he hath to ſaue his countrey. Poſſydonius gathereth very many ſuche thynges / but ſome ſo heynous, ſome ſo vyle that they may ſeme ſhamfull to be ſpoken of. ¶ Therfore no man ſhall take them in hande for loue of the commen welthe / nor the commenty wyll not for his parte that they ſhulde be take in hande. But this thyng ſtandeth in better condycion that the tyme can not chaunce that it ſhalbe profytable for the cōmen welth/that a wiſe mā ſhall do any of thoſe thiges.

Quare hoc quidem effectum ſit in officijs deligendis, hoc genus officiorum excellere , quod teneatur hominum ſocietate. Etenim cognitionem, prudentiamq; ſequatur conſyderata actio. Ita fit , ut conſyderare agere pluris ſit, quam cogitare prudenter, atq; hæc quidem hactenus. Patefactus eſt enim locus ipſe , ut non ſit difficile in exquirendo officio, quid cuiq; ſit præponendum uidere. In ipſa autem cõmunitate ſunt gradus officiorum, ex quibus quid cuiq; præſtet, intelligi poßit, ut prima Dijs immortalibus, ſecunda patriæ, tertia parentibus, deinceps gradatim reliqua reliquis debeantur. Quibus ex rebus breuiter diſputatis intelligi poteſt, non ſolum id homines ſolere dubitare honeſtum ne an turpe ſit, ſed etiã duobus propoſitis honeſtis, utrum honeſtius. Hic locus à Panætio eſt, ut ſupra dixi, prætermiſſus. Sed ad reliqua pergamus.

⁂

Finis Libri primi.

Wherfore this may be concluded in the diſtynction of offyces/that this maner of offyces dothe excell that whiche is contayned in the company of men. For a cyrcumſpecte acte followeth knowlege and prudence. So it foloweth that to do cyrcumſpectly is of more preemynence, than to entende prudently. And theſe be ſuffycient hytherto / for this place is made open / ſo that there is no dyffycultie in ſerchynge out of offyce / to ſe what offyce is preferred before an other. In this company and felowſhyppe be degrees of offyce / amonge whome howe moche one excelleth an other it maye be perceyued / ſo that the fyrſt offyces be due to god immortall, ſeconde to our countrey/ thyrde to our parentes/ and ſo forth by degrees/ the reſt be due to other. Of the whiche thynges breuely diſputed may be vnderſtande/ that men are wonte not onely to doute this thynge whether it be made honeſt or diſhoneſt/ but alſo two honeſtyes purpoſed/ whether is more honeſt. This place of Panecius (as I ſayd before) is ouer ſcaped. but lette vs go to other maters.

(:)

¶ Thus endeth the
fyrſt booke.

(:)

M. T. C. DE OFFICIIS LIBER SECVNDVS.

QVEMADMODVM officia ducerentur ab honeſtate, Marce fili, atq; e omni genere uirtutis, ſatis explicatu arbitror libro ſuperiore. Sequitur, ut ha officiorum genera perſequar, quæ pertinent ad uitæ cultum, & ad earum rerum, quibus utuntur homines facultatem, ad opes, ad copias. In quo tum quæ dixi quid utile, quid inutile, tum ex utilibus quid utilius, aut quid maxime utile, de quibus dicere adgrediar, ſi pauca prius de inſtituto, ac de iudicio meo dixero. Quanque enim libri noſtri complures non modo ad legẽdi, ſed etiam ad ſcribendi ſtudiũ excitauerint, tamen interdũ uereor, n quibuſdã bonis uiris philoſophiæ nomẽ ſit inuiſũ, miretur in ea tantũ me opere & tẽporis ponere. Ego autẽ quãdi Reſpub. per eos regebatur, qbus ſeipſa cõmiſerat oẽs meas curas, cogitationeſq; in eam cõferebam. Cũ autẽ dominatu unius omnia tenerẽtur, neq; eſſet uſquã conſilio, aut authoritati locus, ſocios, deniq; tuẽdæ Reipub. ſũmos uiros a ſiße, nec me angoribus dedi, qbus eſſẽ cõfectus, niſi his reſt tißẽ, nec rurſũ indignis homine docto uoluptatibus. At utinã Reſp. ſtetiſſet quo cœperat ſtatu, nec in homines no tam cõmutandarũ rerũ, quã euertẽdarũ cupidos incidiſſe

¶ Of Marcus Tullyus Cicero the ſeconde booke of offycies.

My ſonne Marcus I ſuppoſe that I haue ſuffyciently ſhewed in this fyrſt booke howe offices be deduced out of honeſtye / and out of all kyndes of vertue. It foloweth that I muſt procede to theſe maner of offyces whiche pertayne to the cleane keppynge of this lyfe / and to the ſubſtaunce of rycheſſe and habundance of ſuche thynges as men occupye / wherin I ſayde bothe it is to be aſked what is profytable / what is not ꝓfytable / wherof I wyll begī to ſpeake / thoughe / I ſpeke fyrſt of my purpoſe ſomwhat / thā after of two profytes what is more ꝓfyte / or moſte profyte: and I wyll ſaye after my iudgement. For though my bokes haue ſtyred many not onely to the ſtudy of redynge / but alſo of wrytyng / yet ſomtyme I feare me leſt ŷ name of phyloſophy be hatefull to ſome honeſt mē / and they meruayle that I haue beſtowed ſo moche labour and tyme therin. As long as the cōmen welthe was ordred by them to whome ſhe cōmytte her ſelfe / I beſtowed all my care and thought vpon it / but after all was kepte vnder the domynacion of one man / and there remayned no place to counſayle / and authorite / and / I had loſte my felowes in tuycion of the cōmen welthe / very noble men / nor gaue my ſelfe to greuaunce and heauyneſſe / with the whiche I had be waſted excepte I had reſyſt them / nor agayne to pleaſures not mete nor conuenyent for a lerned man. And wolde god the cōmen welthe had ſtande in the ſame ſtate that it began in / nor had chaūſed to men that be deſyrous not to chaūge ŷ worlde / but to turne it vp ſo downe by diſtructiō,

Primum enim, ut ſtante Rep. facere ſolebamus, in agendo plus quam in ſcribēdo operæ poneremus. Deinde ipſis ſcriptis, non ea quæ nūc, ſed actiones noſtras mandaremus, ut ſæpe fecimus. Cum autē Reſpub. (in qua omnis mea cura, cogitatio, opera poni ſolebat) nulla eſſet omnino, illæ ſcilicet literæ cōticuerunt, forenſes & ſenatoriæ. Nihil autē cū agere animus nō poſſet, in ſtudijs ab initio uerſatus ætatis, exiſtimaui honeſtiſsime moleſtias deponi poſſe, ſi me ad philoſophiam retuliſſem. Cui cū multū aduleſcens diſcendi cauſſa tēporis tribuiſſē, poſtea quā honoribus inſeruire cœpi, neq; totū Reip. tradidi tantū erat philoſophiæ loci, quantū ſuperfuerat amicorū, & Reip. temporis. Id autem omne cōſumebatur in legendo, ſcribendi otium non erat. Maximis igitur in malis hoc tantū boni adſecuti uidemur, ut ea litteris mandaremus, quæ nec ſatis erāt nota noſtris, & erant cognitione digniſsima. Quid eſt enim per Deos immortales optabilius ſapientia? quid præſtantius? quid homini melius? quid homine dignius? Hanc qui expetūt igitur, Philoſophi nominantur. Nec quicquam aliud eſt philoſophia (ſi interpretari uelis) quam ſtudium ſapientiæ. Sapientia aūt eſt (ut à ueteribus philoſophis definitū eſt) rerum diuinarum & humanarum, cauſſarūq;, quibus hæ res continentur, ſcientia. Cuius ſtudium, qui uituperat, haud ſanè intelligo, quid nam ſit quod laudandum putet. Nam ſiue oblectatio quæritur animi, requieſque curarum, quæ cōferri cum eorū ſtudijs poteſt, qui ſēper aliquid acquirunt,

I wolde haue beſtowed more labour at the begynnyng/ as I was wonte whan the commen welthe ſtode in proſperyte/ in doynge than in wrytynge. Ferther I wolde haue put in wrytynge none of theſe thynges / but myne owne actes/ as I haue ofte done whan the cōmen welthe (wherin al my care and thought and dylygence is wonte to be beſtowed) was vtterly nothyng worthe. This that lernynge and practyſe in cauſes of the lawe / and in the parlyament was daſſhed as domme. whan my mynde coulde do nothynge / I occupyed it in this exercyſe fro the begynnyng of youthe/ I thought it was very honeſt that I coulde put awaye all greuaunce if I returned my ſelfe to phyloſophy/ wher vnto I a very yonge thynge/ after I beſtowed moche tyme bycauſe of lernyng/ after I begon to applye me to honours, and gaue my ſelfe fully to the commen welthe / ſo moche layſer remayned to phylophye / as tyme remayned beſyde to my frendes and to the commen welthe. All that tyme was ſpente in redynge/ I had no layſer to wryte. In moſte aduerſytie me ſemeth I gotte thus moche pleaſure / that I put in wrytynge thoſe thynges whiche were not ſuffyciently knowen to latyne men/ and they were very neceſſary to be knowen. For what thynge (for the loue of god) is more to be deſyred than wyſdome? what is more excellent? what is better for man? what is more comly for man? Therfore they that deſyre that wyſdome are called phyloſophers/ and phyloſophy is no thynge els (if thou wylte interpretate it) but the ſtudy & deſyre of wyſdome. Sapyence is (as it is defyned of olde phyloſophers) a knowlege of thynges touchynge god and man/ and of the cauſes wherin theſe thynges be conteyned. The ſtudy wherof he that rebuketh/ I cā not tell what it is that he maye iudge worthy prayſe. For whether the pleaſure of the mynde is ſought for & the reſt of cares/ which may be cōferred with the ſtudyes of the which always get ſomwhat

quod ſpectet & ualeat ad bene beateq́ uiuendum, ſiue ratio cōſtantiæ uirtutiſq́ quæritur, aut hæc eſt ars, aut nulla omnino, per quam eas aſſequamur. Nullam uero dicere maximarum rerū artem eſſe, cum minimarū ſine arte nulla ſit, hominū eſt parum conſyderate loquentiū, atq́ in maximis rebus errantiū. Si autem eſt aliqua diſciplina uirtutis, ubi ea quæritur, cum ab hoc diſcēdi genere diſceſſeris? Sed hæc cum ad Philoſophiam cohortamur, accuratius ſolent diſputari, quod in alio quidē libro fecimus. Hoc autē tempore tantū nobis declarādum fuit, cur orbati Reipub. muneribus, ad hoc nos ſtudiū potiſsimū contuliſsemus. Occurritur autem nobis, & quidem à doctis & eruditis, quærentibus, ſatis ne cōſtanter facere uideamur, qui cum percipi nihil poſſe dicamus, tamē & alijs de rebus diſſerere ſoleamus, & hoc ipſo tempore præcepta officij perſequamur. Quibus uellem ſatis cognita eſſet noſtra ſententia. Non enim ſumus hi, quorum uagetur animus errore, nec habeat unquā quid ſequatur. Quæ enim eſſet iſta mens, uel quæ uita potius, nō ſolū diſputandi, ſed etiam uiuendi ratione ſublata? Nos autē ut cæteri, qui alia certa, alia incerta eſſe dicūt, ſic ab his diſſentientes, alia probabilia, cōtra alia improbabilia eſſe dicimus. Quid eſt ergo, qđ me impediat ea, quæ mihi probabilia uidentur, ſequi, quæ cōtra, improbare, atq́ affirmandi arrogantiam uitantē, fugere temeritatem, quæ à ſapientia diſsidet plurimum. Contra autē omnia diſputantur à noſtris, quod hoc ipſū probabile elucere non poſsit,

that pertayne and avayle a man to lyve well and welthyly? Or if the reaſon of conſtaũce and vertue is ſought eyther this ſcyence is that / or els vtterly there is none by the whiche we maye gette them/ conſtaunce and vertue. To ſaye that ſcyence whiche is there of other to be no ſcyence/ where as none of the leeſt ſcyences is without crafte / it is the condycion of men that ſpeake without reaſon, and that erre in greateſt thynges. If there be any diſcyplyne of vertue where ſhall it be ſought/ whan a man dygreſſeth fro the maner of lernynge? But theſe thynges (whan we exhorte men to phyloſophy) muſt be diſputed more dyligently / whiche I haue done in an other booke. At this tyme I muſt onely declare wherfore I put fro authorite of the rule of the commen welthe/ gaue my ſelfe to this princypall ſtudy. It is obiecte to me and anſwered of wyſe men and lerned/ aſkynge whether I ſeme to do conſtauntly ynoughe or no / whiche whan I ſaye nothynge can be perceyued / yet I am wonte to diſpute of other maters/ and that ſeaſon I wyll procede of the preceptes of offyces/ to whom I wolde that myne opynyon where ſuffyciently knowen. For I am not the man whoſe mynde wandreth in erroure/ nor hath at any tyme what he maye folowe. For what mynde is this (or what lyfe rather) not onely of diſputacyon but alſo of lyuynge whan reaſon is take awaye? I as other that ſaye ſome thynges be certayne/ ſome be vncertayne: ſo diſſentynge from them/ I ſaye ſome be laudable/ and contrary ſome be not laudable/ what is it than that maye lette me to folowe thoſe thynges whiche be laudable ſemynge to me / and to reproche ſuche as be contrarye: and auoydynge arrogaunce of affyrmacyon/ and to flye foolyſhe boldneſſe/ whiche is ferre differyng fro wyſdome. Upon the cõtrary parte all thynges be diſputed of our Romaynes/ that that thynge whiche is laudable can not appere.

niſi ex utraq; parte cauſſarum eſſet facta contentio. Sed hæc explanata ſunt in Academicis noſtris (ut arbitror) diligenter. Tibi autem mi Cicero quanquam in antiquiſsima, nobiliſsimaq; Philoſophia, Cratippo authore uerſaris, his ſimillimo, qui iſta præclara pepererunt, tamen hæc noſtra finitima ueſtris ignota eſſe nolui. Sed iam ad inſtituta pergamus.

DE HIS QVAE AD VTILItatem pertinent, uitamq; degendam.

QVinq; autem rationibus propoſitis officij perſequendi, quarum duæ ad decus, honeſtatemq; pertinent, duæ ad commoda uitæ, copias, opes, facultates. Quinta, ad eligendi iudicium, ſi quando ea quæ dixi pugnare inter ſe uiderentur. Honeſtatis pars perfecta eſt, quam quidē tibi cupio eſſe notiſsimam. Hoc autem de quo nunc agimus, id ipſum eſt, quod utile appellatur. In quo uerbo lapſa cōſuetudo deflexit de uia, ſenſimq; eo deducta eſt, ut ab honeſto utile ſecerneret, & cōſtitueret honeſtum aliquod, quod utile non eſſet, & utile quod non honeſtū, qua nulla pernities maior, hominum uitæ potuit afferri. Summa quidem authoritate philoſophi ſeuere ſanè, atq; honeſte hæc tria genera, confuſa, cogitatione diſtingunt. Quicquid enim iuſtū ſit, id utile etiam eſſe cenſent. Itemq; quod honeſtum ſit, id eſſe iuſtum. Ex quo efficitur, ut quicquid honeſtū ſit, idem ſit utile. Quod qui parū perſpiciunt, hi ſæpe uerſutos homines, & callidos admirantes, eorum malitiam, ſapientiam iudicant. Quorum error eripiendus eſt, omniſq; opinio ad eas ſpeciem traducenda, ut honeſtis conſilijs, iuſtiſq; factis, non fraude, & malitia ſe intelligant ea, quæ uelint, conſequi poſſe.

DIVIDIT EA QVAE AD uitam degendam pertinent.

Quæ ergo ad uitam hominũ tuẽdam pertinẽt, partim ſunt inanimata, ut aurũ, argentum, ut ea quæ gignũtur è terra, & alia eiuſdẽ generis. Partim animata, quæ habent ſuos impetus, & rerũ appetitus. Eorum autẽ alia rationis expertia ſunt, alia ratione utentia. Expertes rationis ſunt equi, boues, & reliquæ pecudes, apes, quarũ opere efficitur aliquid ad hominũ uſum, atq; uitam. Ratione autem utendũ duo genera ponuntur, unum deorum, alterũ hominum. Deos placatos pietas efficiet, & ſanctitas. Proxime autẽ & ſecundũ deos, homines hominibus maxime utiles eſſe poſſunt. Earumq; iterũ rerũ, quæ noceant & proſint, eadem diuiſio eſt. Sed q̃a deos nocere non putant, his exceptis, homines hominibus plurimũ obeſſe, uel prodeſſe arbitrantur. Ea enim ipſa, quæ inanimata diximus, pleraq; ſũt hominũ effecta operis, quæ nec haberemus, niſi manus, & ars acceſſiſſent, nec his ſine hominũ adminiſtratiõe uteremur, neq; enĩ ualetudinis curatio, neq; nauigatio, neq; agricultura, neq; frugum, fructuũq; reliquorũ perceptio & cõſeruatio, ſine opera hominum ulla eſſe potuiſſent,

except controuerſy be made of bothe partes of theſe cauſes. But theſe be made open in my queſtyons called Achademice dylygently ynough/ as I thynke. Though thou my ſonne Cicero arte exercyſed in the olde ⁊ very noble phyloſophye/ vnder thy mayſter Cratyppus/ felowe and lyke to thoſe phyloſophers whiche made theſe notable thīges/ yet my woꝛkes as nye ioynyng to yours I wolde they ſhulde not be vnknowen. But let vs go to purpoſe.

¶ Of theſe thynges that pertayne to the vſe of this lyfe/ alſo that pꝛofyte is not taken here whiche the cōmen people iudge in gaynes of money/ and lucre got howe ſo euer a man may come by it/ but that onely to be pꝛofyte that is ioyned with honeſty/ and pertayneth to the company of this lyfe

THerfoꝛe fyue reaſons purpoſed of executynge of offyce/ wherof two partayne to woꝛſhyppe and honeſty/ two to the commoyties of this lyfe/ abundaunce and rycheſſe. The fyft to choſe iudgement, if ſo be at any tyme thoſe thynges that I ſpake of ſeme to repugne togythers. The parte of honeſty is perfyte/ which I wolde gladly were knowen to the. This thynge that I treate of nowe is the ſelfe ſame thynge that is called pꝛofyte, in the whiche terme oꝛ woꝛde/ cuſtome ſlypppynge is tourned out of the way, and is bꝛought by lytell and by lytell that it wolde deuyde pꝛofyte from honeſty/ and wolde determyne a certayne honeſty that ſhulde not be pꝛofytable/ and pꝛofytable that is not honeſt/ than the which no greater miſchefe myght be bꝛought to the lyfe of mā. By hye authoꝛite philoſophers deuyde with grauytie wel and honeſtly theſe thꝛe maners oꝛ kyndes cōfuſed ⁊ myxt by compace of reaſō. Foꝛ what ſo euer is iuſt/ they iudge it to be ꝓfytable. Alſo they iudge that to be iuſt that is honeſt. wherof is concluded that what ſo euer is honeſt/ the ſame is pꝛofytable: whiche thing they that lytel perceyue

they ofte prayſynge double and crafty perſones / iudge
their malyce to be wyſdome/ whoſe erroure is to be take
fro them. And euery opinyon is to be brought to this ſal=
ſyon/ that men ſhall underſtande that by honeſt coūſayle
iuſt dealynge/ not by fraude and malyce/ that thoſe thyn
ges that they wyll haue, maye come to paſſe.

¶ Here Tully deuydeth thoſe thynges that pertayne to the vſe of lyfe/ and that one man can not lyue without the ayde/ helpe/ and counſayle of an other/ & that nothyng is profyte or loſſe but it iſſueth fro man to man.

AS touchynge ſuche thynges to the tuycion of the
lyfe of men/ ſome be thynges without lyfe, as golde
ſyluer/ and ſuch thynges that be engendred of erthe/ and
ſome of the ſame maner/ ſome hauynge lyfe/ whiche haue
their vyolences and appetytes of thynges. Other of them
be without reaſon / ſome with the vſe of reaſon. Suche
as be without reaſon be horſes/ oxen/ and other beeſtes/
bees by whoſe labour ſome thyng is made to the profyte
of men/ and to the ſuſtentacion of lyfe by reaſon of them
that vſe them. Two kyndes be put / one of goddes, the
other of men. Our loue and holy lyuyng make god plea=
ſed: next and ſecōde to god, men may be ſpecially profy=
table to men. And the ſame diuyſyon is of thoſe thynges
that be hurtfull & noyous/ but bycauſe they thynke that
they can not hurte god / he except/ they thynke that men
may greatly hurte one an other. For thoſe ſame thynges
that we ſay be without lyfe/ be made for the moſte parte
by the handes of men/ whiche we ſhulde not haue except
the hande crafte of man had be put to it / nor we ſhulde
not haue the vſe of ſuche thynges without the prouy=
ſyon of man / nor the cure of ſyckneſſe / nor paſſage by
water/ nor huſbandrye/ nor layenge in of corne/ nor get=
tynge or kepynge of corne and other fruytes / without
the labour and helpe of men can be any thynge worthy.

Primum enim,ut ſtante Rep. facere ſolebamus,in agendo plus quam in ſcribēdo operę poneremus. Deinde ipſis ſcriptis,non ea quæ nūc, ſed actiones noſtras mandaremus,ut ſæpe fecimus. Cum autē Reſpub. (in qua omnis mea cura, cogitatio,opera poni ſolebat) nulla eſſet omnino,illæ ſcilicet literæ cōticuerunt,forenſes & ſenatoriæ. Nihil autē cū agere animus nō poſſet,in ſtudijs ab initio uerſatus ætatis,exiſtimaui honeſtiſsime moleſtias deponi poſſe,ſi me ad philoſophiam retuliſſem. Cui cū multū aduleſcens diſcendi cauſſa tēporis tribuiſſē, poſtea quā honoribus inſeruire cœpi,neq; totū Reip. tradidi tantū erat philoſophiæ loci, quantū ſuperfuerat amicorū,& Reip. temporis. Id autem omne cōſumebatur in legendo, ſcribendi otium non erat. Maximis igitur in malis hoc tantū boni adſecuti uidemur, ut ea litteris mandaremus,quæ nec ſatis erāt nota noſtris, & erant cognitione digniſsima. Quid eſt enim per Deos immortales optabilius ſapientia? quid præſtantius? quid homini melius? quid homine dignius? Hanc qui expetūt igitur, Philoſophi nominantur. Nec quicquam aliud eſt philoſophia (ſi interpretari uelis) quam ſtudium ſapientiæ. Sapientia aūt eſt (ut à ueteribus philoſophis definitū eſt) rerum diuinarum & humanarum, cauſſarūq;, quibus hæ res continentur, ſcientia. Cuius ſtudium,qui uituperat, haud ſanè intelligo, quid nam ſit quod laudandum putet. Nam ſiue oblectatio quæritur animi, requieſque curarum, quæ cōferri cum eorū ſtudijs poteſt, qui ſēper aliquid acquirunt,

I wolde haue beſtowed more labour at the begynnyng / as I was wonte whan the commen welthe ſtode in proſperyte / in doynge than in wrytynge. Ferther I wolde haue put in wrytynge none of theſe thynges / but myne owne actes / as I haue ofte done whan the cõmen welthe (wherin al my care and thought and dylygence is wonte to be beſtowed) was vtterly nothyng worthe. Thus that lernynge and practyſe in cauſes of the lawe / and in the parlyament was daſſhed as domme. whan my mynde coulde do nothynge / I occupyed it in this exercyſe fro the begynnyng of youthe / I thought it was very honeſt that I coulde put awaye all greuaunce if I returned my ſelfe to phyloſophy / wherunto I a very yonge thynge / after I beſtowed moche tyme bycauſe of lernyng / after I begon to applye me to honours, and gaue my ſelfe fully to the commen welthe / ſo moche layſer remayned to phylophye / as tyme remayned beſyde to my frendes and to the commen welthe. All that tyme was ſpente in redynge / I had no layſer to wryte. In moſte aduerſyte me ſemeth I gotte thus moche pleaſure / that I put in wrytynge thoſe thynges whiche were not ſuffyciently knowen to latyne men / and they were very neceſſary to be knowen. For what thynge (for the loue of god) is more to be deſyred than wyſdome? what is more excellent? what is better for man? what is more comly for man? Therfore they that deſyre that wyſdome are called phyloſophers / and phyloſophy is no thynge els (if thou wylte interpretate it) but the ſtudy & deſyre of wyſdome. Sapyence is (as it is defyned of olde phyloſophers) a knowlege of thynges touchynge god and man / and of the cauſes wherin theſe thynges be conteyned. The ſtudy wherof he that rebuketh / I cã not tell what it is that he maye iudge worthy prayſe. For whether the pleaſure of the mynde is ſought for a the reſt of cares / which may be cõferred with the ſtudyes of the which alwayes get ſomwhat

quod ſpectet & ualeat ad bene beateq; uiuendum, ſiue ratio cõſtantiæ uirtutiſq; quæritur, aut hæc eſt ars, aut nulla omnino, per quam eas aſſequamur. Nullam uero dicere maximarum rerũ artem eſſe, cum minimarũ ſine arte nulla ſit, hominũ eſt parum conſyderate loquentiũ, atq; in maximis rebus errantiũ. Si autem eſt aliqua diſciplina uirtutis, ubi ea quæritur, cum ab hoc diſcẽdi genere diſceſſeris? Sed hæc cum ad Philoſophiam cohortamur, accuratius ſolent diſputari, quod in alio quidẽ libro fecimus. Hoc autẽ tempore tantũ nobis declarãdum fuit, cur orbati Reipub. muneribus, ad hoc nos ſtudiũ potiſsimũ contuliſsemus. Occurritur autem nobis, & quidem à doctis & eruditis, quærẽtibus, ſatis ne cõſtanter facere uideamur, qui cum percipi nihil poſſe dicamus, tamẽ & alijs de rebus diſſerere ſoleamus, & hoc ipſo tempore præcepta officij perſequamur. Quibus uellem ſatis cognita eſſet noſtra ſententia. Non enim ſumus hi, quorum uagetur animus errore, nec habeat unquã quid ſequatur. Quæ enim eſſet iſta mens, uel quæ uita potius, nõ ſolũ diſputandi, ſed etiam uiuendi ratione ſublata? Nos aũt ut cæteri, qui alia certa, alia incerta eſſe dicũt, ſic ab his diſſentientes, alia probabilia, cõtra alia improbabilia eſſe dicimus. Quid eſt ergo, qđ me impediat ea, quæ mihi probabilia uidentur, ſequi, quæ cõtra, improbare, atq; affirmandi arrogãtiam uitantẽ, fugere temeritatem, quæ à ſapientia diſsidet plurimum. Contra aũt omnia diſputantur à noſtris, quod hoc ipſũ probabile elucere non poſſit,

that pertayne and auayle a man to lyue well and welthyly? Or if the reaſon of conſtaūce and vertue is ſought eyther this ſcyence is that / or els vtterly there is none by the whiche we maye gette them/ conſtaunce and vertue. To ſaye that ſcyence whiche is there of other to be no ſcyence/ where as none of the leeſt ſcyences is without crafte / it is the condycion of men that ſpeake without reaſon , and that erre in greateſt thynges. If there be any diſcypline of vertue where ſhall it be ſought/ whan a man dygreſſeth fro the maner of lernynge? But theſe thynges (whan we exhorte men to phyloſophy) muſt be diſputed more dyligently / whiche I haue done in an other booke. At this tyme I muſt onely declare wherfore I put fro authorite of the rule of the commen welthe/ gaue my ſelfe to this princypall ſtudy. It is obiecte to me and anſwered of wyſe men and lerned/ aſkynge whether I ſeme to do conſtauntly ynoughe or no / whiche whan I ſaye nothynge can be perceyued / yet I am wonte to diſpute of other maters/and that ſeaſon I wyll procede of the preceptes of offyces/ to whom I wolde that myne opynyon where ſuffyciently knowen. For I am not the man whoſe mynde wandreth in errour/ nor hath at any tyme what he maye folowe. For what mynde is this (or what lyfe rather) not onely of diſputacyon but alſo of lyuynge whan reaſon is take awaye? I as other that ſaye ſome thynges be certayne/ ſome be vncertayne: ſo diſſentynge from them/ I ſaye ſome be laudable/ and contrary ſome be not laudable/ what is it than that maye lette me to folowe thoſe thynges whiche be laudable ſemynge to me / and to reproche ſuche as be contrarye? and auoydynge arrogaunce of affyrmacyon/ and to flye foolyſhe boldneſſe/ whiche is ferre differyng fro wyſdome. Upon the cōtrary parte all thynges be diſputed of our Romaynes/ that that thynge whiche is laudable can not appere.

niſi ex utraꝗ parte cauſſarum eſſet facta contentio. Sed hæc explanata ſunt in Academicis noſtris (ut arbitror) diligenter. Tibi autem mi Cicero quanquam in antiquiſsima, nobiliſsimaꝗ Philoſophia, Cratippo authore uerſaris, his ſimillimo, qui iſta præclara pepererunt, tamen hæc noſtra finitima ueſtris ignota eſſe nolui. Sed iam ad inſtituta pergamus.

DE HIS QVAE AD VTILItatem pertinent, uitamꝗ degendam.

QVinꝗ autem rationibus propoſitis officij perſequendi, quarum duæ ad decus, honeſtatemꝗ pertinent, duæ ad commoda uitæ, copias, opes, facultates. Quinta, ad eligendi iudicium, ſi quando ea quæ dixi pugnare inter ſe uiderentur. Honeſtatis pars perfecta eſt, quam quidē tibi cupio eſſe notiſsimam. Hoc autem de quo nunc agimus, id ipſum eſt, quod utile appellatur. In quo uerbo lapſa cōſuetudo deflexit de uia, ſenſimꝗ eo deducta eſt, ut ab honeſto utile ſecerneret, & cōſtitueret honeſtum aliquod, quod utile non eſſet, & utile quod non honeſtū, qua nulla pernities maior hominum uitæ potuit afferri. Summa quidem authoritate philoſophi ſeuere ſanè, atꝗ honeſte hæc tria genera, confuſa, cogitatione diſtingunt. Quicquid enim iuſtū ſit, id utile etiam eſſe cenſent. Itemꝗ quod honeſtum ſit, id eſſe iuſtum. Rx quo efficitur, ut quicquid honeſtū ſit, idem ſit utile. Quod qui parū perſpiciunt,

except controuerſy be made of bothe partes of theſe cauſes. But theſe be made open in my queſtyons called Achademice dylygently ynough/ as I thynke. Though thou my ſonne Cicero arte exercyſed in the olde ⁊ very noble phyloſophye/ vnder thy mayſter Cratyppus/ felowe and lyke to thoſe phyloſophers whiche made theſe notable thlges/ yet my workes as nye ioynyng to yours I wolde they ſhulde not be vnknowen. But let vs go to purpoſe.

¶ Of theſe thynges that pertayne to the vſe of this lyfe/ alſo that profyte is not taken here whiche the cōmen people iudge in gaynes of money/ and lucre got howe ſo euer a man may come by it/ but that onely to be profyte that is ioyned with honeſty/ and pertayneth to the company of this lyfe

Therfore fyue reaſons purpoſed of executynge of offyce/ wherof two partayne to worſhyppe and honeſty/ two to the commoyties of this lyfe/ abundaunce and rycheſſe. The fyft to choſe iudgement, if ſo be at any tyme thoſe thynges that I ſpake of ſeme to repugne togythers. The parte of honeſty is perfyte/ which I wolde gladly were knowen to the. This thynge that I treate of nowe is the ſelfe ſame thynge that is called profyte, in the whiche terme or worde/ cuſtome ſlypppynge is tourned out of the way, and is brought by lytell and by lytell that it wolde deuyde profyte from honeſty/ and wolde determyne a certayne honeſty that ſhulde not be profytable/ and profytable that is not honeſt/ than the which no greater miſchefe myght be brought to the lyfe of mā. By hye authorite philoſophers deuyde with grauytie wel and honeſtly theſe thre maners or kyndes cōfuſed ⁊ myxt by compace of reaſō. For what ſo euer is iuſt/ they iudge it to be ꝓfytable. Alſo they iudge that to be iuſt that is honeſt. wherof is concluded that what ſo euer is honeſt/ the ſame is profytable/ whiche thing they that lytel perceyue

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DE HIS QVAE AD VTILItatem pertinent, uitamq; degendam.

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hi ſæpe uerſutos homines, & callidos admirantes, eorum malitiam, ſapientiam iudicant. Quorum error eripiendus eſt, omniſq; opinio ad eas ſpeciem traducenda, ut honeſtis conſilijs, iuſtiſq; factis, non fraude, & malitia ſe intelligant ea, quæ uelint, conſequi poſſe.

DIVIDIT EA QVAE AD uitam degendam pertinent.

QVæ ergo ad uitam hominū tuēdam pertinēt, partim ſunt inanimata, ut aurū, argentum, ut ea quæ gignūtur è terra, & alia eiuſdē generis. Partim animata, quæ habent ſuos impetus, & rerū appetitus. Eorum autē alia rationis expertia ſunt, alia ratione utentia. Expertes rationis ſunt equi, boues, & reliquæ pecudes, apes, quarū opere efficitur aliquid ad hominū uſum, atq; uitam. Ratione autem utendū duo genera ponuntur, unum deorum, alterū hominum. Deos placatos pietas efficiet, & ſanctitas. Proxime autē & ſecundū deos, homines hominibus maxime utiles eſſe poſſunt. Earumq; iterū rerū, quæ noceant & proſint, eadem diuiſio eſt. Sed q̄a deos nocere non putant, his exceptis, homines hominibus plurimū obeſſe, uel prodeſſe arbitrantur. Ea enim ipſa, quæ inanimata diximus, pleraq; ſūt hominū effecta operis, quæ nec haberemus, niſi manus, & ars acceſſiſſent, nec his ſine hominū adminiſtratiōe uteremur, neq; enī ualetudinis curatio, neq; nauigatio, neq; agricultura, neq; frugum, fructuūq; reliquorū perceptio & cōſeruatio, ſine opera hominum ulla eſſe potuiſſent.

they ofte prayſynge double and crafty perſones / iudge their malyce to be wyſdome/ whoſe erroure is to be take fro them. And euery opinyon is to be brought to this falſyon/ that men ſhall vnderſtande that by honeſt coūſayle iuſt dealynge/ not by fraude and malyce/ that thoſe thynges that they wyll haue, maye come to paſſe.

¶ Here Tully deuydeth thoſe thynges that pertayne to the vſe of lyfe/ and that one man can not lyue without the ayde/ helpe/ and counſayle of an other/ & that nothyng is profyte or loſſe but it iſſueth fro man to man.

AS touchynge ſuche thynges to the tuycion of the lyfe of men/ ſome be thynges without lyfe, as golde ſyluer/ and ſuch thynges that be engendred of erthe/ and ſome of the ſame maner/ ſome hauynge lyfe/ whiche haue their vyolence and appetytes of thynges. Other of them be without reaſon / ſome with the vſe of reaſon. Suche as be without reaſon be horſes/ oxen/ and other beeſtes/ bees by whoſe labour ſome thyng is made to the profyte of men/ and to the ſuſtentacion of lyfe by reaſon of them that vſe them. Two kyndes be put / one of goddes, the other of men. Our loue and holy lyuyng make god pleaſed: next and ſeconde to god, men may be ſpecially profytable to men. And the ſame diuyſyon is of thoſe thynges that be hurtfull & noyous/ but bycauſe they thynke that they can not hurte god / he except/ they thynke that men may greatly hurte one an other. For thoſe ſame thynges that we ſay be without lyfe/ be made for the moſte parte by the handes of men/ whiche we ſhulde not haue except the hande crafte of man had be put to it / nor we ſhulde not haue the vſe of ſuche thynges without the prouyſyon of man / nor the cure of ſyckneſſe / nor paſſage by water/ nor huſbandrye/ nor layenge in of corne/ nor gettynge or kepynge of corne and other fruytes / without the labour and helpe of men can be any thynge worthe

Iam uero & earum rerũ, quibus abũdaremus, exportatio, & earum, quibus egeremus, inuectio, certe nulla eſſet, niſi his muneribus homines ſingerentur. Eademq́ ratione, nec lapides exciderẽtur è terra, ad uſum noſtrũ neceſſarij, nec ferrum, aurum, æs, argentũ, effoderentur penitus abdita, ſine hominũ labore, & manu. Tecta uero, quibus & frigorum uis pelleretur, & calorum moleſtiæ ſedarentur, unde aut initio generi humano dari potuiſſent, aut poſtea ſubuenire, ſi aut ui tempeſtatis, aut terræ motu, aut uetuſtate cecidiſſet, niſi cõmunis uita, ab hoĩbus harũ rerũ auxilia petere didiciſſet? Adde ductus aquarum, deriuationes fluminum, agrorũ irrigationes, moles oppoſitas fluctibus, portus manufactos, quæ nõ ſine hoĩm opere habere poſſemus. Ex quibus omnibus multiſq́ alijs perſpicuum eſt, qui fructus, quæq́ utilitas ex rebus his, quæ ſunt inanimatæ, percipiantur, eas nos nullo modo ſine hominũ manu, atq́ opera capere potuiße. Qui deniq́ ex beſtijs fructus, aut quæ cõmoditas, niſi homines adiuuarẽt, percipi poſſet? Nam & qui principes inueniendi fuerunt, quem ex quaq́ belua uſum habere poſſemus, homines certe fuerunt. Nec hoc tempore ſine hominũ opera, aut paſcere equos, aut domare, aut tueri, aut tempeſtiuos fructus ex his capere poſſemus. Ab eidemq́, & ea quæ nocẽt interficiũtur, & quæ uſui poſſunt eſſe, capiuntur. Quid enumerem artiũ multitudinem, ſine quibus uita omnino nulla eſſe potuiſſet? Quid enim ægritudini ſubueniſſet? quæ eſſet oblectatio ualentium? qui uictus,

Alſo the goynge forthe of ſuche thynges which we haue habundaunce of / and bryngynge in of ſuche thynges whiche we haue nede of / ſurely were nothynge worthe except men vſed ſuche marchaundyſe. By the ſame reaſon neyther ſtones that be cutte out of the grounde / neceſſary to our vſe / nor yron / golde / braſſe / nor ſyluer that lye depe hydde / ſhulde be dygged vp without the labour and hande of men. Houſes by whome the vyolence of colde is kepte forthe / and the greuaunce of heates be acooled and abated / or by what reaſon myght they be gyue to mankynde fro the begynnynge / or myght after helpe it if eyther by the reaſon of tempeſt or erthe quake / or by olde ruyne ſhulde haue fallẽ downe / excepte the commen experyence of mannes lyfe had lerned to deſyre of men ayde of ſuche thynges. Adde to theſe condytes / ſcluſes out of ryuers / lande fluddes / bankes and wharfes made agayne ſtreames / hauens made by hande / which all without the labour of man / howe and by what meanes ſhulde we haue had theme? By the whiche reaſon and many other it is euydent that ſuche fruytes and all ſuche profytes that cõmeth of ſuche thynges whiche be without lyfe / that we by no meanes without the hande of man and labour coulde not optayne them. what fruyte to conclude or what cõmodyte can be gotte without mannes helpe? For ſuche that were theſe authours to fynde out what profyte we myght haue by euery beeſt / they were in dede men as we be. Nor in theſe dayes we can not with the laboure of man fede horſes / tame them / or kepe them / or take any profyte of them in tyme. And to conclude / ſuche beeſtes as do hurte be ſlayne by men / and ſuche as be to the vſe and profyte of man be take by man. what ſhulde I nombre the multytude of craftes / without the whiche the lyfe of man vtterly can nothyng doo? who ſhulde remedye ſyckneſſe? what pleaſure ſhulde be of theym that be in helthe? what lyuynge /

aut cultus?niſi tam multæ nobis artes miniſtrarentur, quibus rebus exculta hominũ uita, tantum deſtitit à uictu, & cultu beſtiarũ. Vrbes uero ſine hominũ cœtu nõ potuiſſet, nec ædificari, nec frequentari. Ex quo leges, moreſq; conſtituti, tum iuris æqua deſcriptio, certaq; uiuẽdi diſciplina, per quas bene, beateq; uiuitur, quas res et manſuetudo animorũ conſecuta, & uerecundia eſt, effectumq; eſt, ut eſſet uita munitior, atq; ut dando, & accipiendo, permutandiſq; facultatibus, & commodis, nulla re egeremus. Longiores hoc loco ſumus, quam neceſſe eſt. Quis enim eſt cui nõ perſpicua ſint illa, quæ pluribus uerbis à Panætio cõmemoratur? Neminem neq; ducem bello, nec principem domi, magnas res, & ſalutares ſine hominũ ſtudijs gerere potuiſſe. Cõmemoratur ab eo Themiſtocles, Pericles, Cyrus, Ageſilaus, Alexander, quos negat ſine adiumentis hominũ tantas res efficere potuiſſe. Vtitur in re nõ dubia teſtibus nõ neceſſarijs. Atq; ut magnas utilitates adipiſcimur, cõſpiratione hominũ, atq; cõſenſu, ſic nulla tam deteſtabilis peſtis eſt, quæ non homini ab homine naſcatur. Eſt Dicæarchi liber de interitu hominum. Peripatetici magni & copioſi, qui collectis cæteris cauſſis eluuionis, peſtilentiæ, uaſtitatis beluarum, etiam repentina multitudinis, quarum impetu, docet quædam genera hominum eſſe conſumpta. Deinde comparat quanto plures deleti ſunt homines hominum impetu, id eſt bellis, & ſeditionibus q̃ omni reliqua calamitate. Cum igitur hic locus nihil habeat dubitationis,

what apparayle/except ſo many craftes ſhulde mynyſtre them vnto vs/by the whiche meanes the lyfe of men exercyſed/diffred ſo moche fro the lyuynge and faſſyon of beeſtes. Cytees without the companye of men coulde not be edifyed nor occupyed/by the whiche company of men lawes and maners ordeyned/alſo the egall declaracyon of the lawe/and a certayne diſcyplyne and ordre of lyuyng/wherby men lyue well and welthy/whiche thynges gentylneſſe of hertes and myndes dothe folowe and regarde of honeſty. And it is brought to paſſe that this lyfe ſhulde be more ſurely fenſed/and that by gyuynge and takynge/and by exchaunges of wares and commodytees we ſhuld lacke nothyng. I am in this place more perfuſe than nede is. Who is he to whome thoſe thynges be not open/whiche of Panecius be reherſed in many wordes/that no capitayne in warre nor prince in peace/ coulde do any great actes and profytable without the counſayle and ayde of men. ¶ There be excepted of hym Themiſtocles, Pericles/ Cyrus/Ageſilaus/ Alexander/ whome he denyed that they coulde brynge to paſſe ſuche great actes without the helpe of men. He vſeth in a thyng not doutfull wytneſſe not neceſſary. And as we get great profytes by agrement and conſent of men/ſo there is no poyſō ſo deteſtable/but it maye growe and iſſue from one man to an other. ¶ There is a booke of Dicearcus of the diſtruction of men/ a great folower of Aryſtotle and copyous/whiche other cauſes gathered of conſumpcion/ peſtylence/and diſtruction of men/ alſo of a ſodayne multytude of wylde beeſtes/by whoſe violēt aſſault he ſheweth that certayne kynde of mē were diſtroyed. After that he maketh comparyſō how many more mē were diſtroyed by the vyolent aſſault of other men/that is to ſaye in batayle or by ſedycyons/than by all other myſcarynge and diſtruction. ¶ Therfore bycauſe this place hath no doute/

quin homines plurimũ hominibus & proſint & obſint, pr
priũ hoc ſtatuo eſſe uirtutis, conciliare ſibi animos hom
num, & ad uſus ſuos adiungere. Itaq; quæ in rebus ina
mis, quæq; in uſu & tractatione beluarũ fiunt utiliter ad
hominũ uitam, artibus ea tribuuntur operoſis. Homin
autẽ ſtudia, ad amplificationem noſtrarum rerum promp
& parata uirorum præſtantiũ ſapientia, & uirtuti exci
tantur. Etenim uirtus omnis in tribus rebus ferè uertitur,
quarum una eſt in perſpiciẽdo, quid in quaq; re uerũ, ſyn
cerumq; ſit, quid cõſentaneũ cuiq;, quid conſequens, ex qu
quæq; gignantur, quæ cuiuſq; rei ſit cauſſa. Alterum cohi
bere motus animi turbatos, quos Græci πάθη nominant, ap
petioneſq;, quas illi ὁρμάς, obedientes efficere rationi. Ter
tium his, quibus congregamur uti moderate, & ſcienter,
quorum ſtudijs ea, quæ natura deſyderat, expleta, cumula
taq; habemus, per eos deniq; ſi quid importetur nobis in
cõmodi, pro pulſemus, ulciſcamurq; eos, qui nocere nob
conati ſunt, tantaq; pœna afficiamus, quantũ æquitas, hu
manitaſq; patitur. Quibus autem rationibus hanc faculta
tem aſſequi poßimus, ut hominũ ſtudia complectamur, ea
teneamus, dicemus. Neq; ita multo poſt, ſed pauca ante di
cenda ſunt. Magnã uim eſſe in fortuna, in utranq; partem,
uel ſecundas ad res, uel aduerſas, quis ignorat? Nam &
cum proſpero flatu eius utimur, ad optatos exitus prouc
himur, & cũ reflauit, affligimur. Hæc igitur ipſa fortuna
cæteros caſus rariores habet. Primũ ab inanimis procellas,

But that men maye greatly profyte one an other / and lykewyſe do hurte. I iudge this to be the propertye of vertue / that a man allure to hym the good hertes and myndes of other men / and to adioyne theym to this vſe and profyte. And ſo thoſe thynges that be done in thynges that haue no lyfe / and whiche be doone in vſe and handlynge of beeſtes profytably to the lyfe of men / be applyed to craftes laborious. ¶ The mīdes of mē prompt and redy to the encreaſe of our profyte / be moued and ſtyrred vp by the wyſdome and vertue of noble men. For all maner of vertue almoſte is tourned and exercyſed in thre poyntes / wherof one is in ſyght and knowlege what is trewe and clere in euery thynge / what agreynge to euery man / what is conſequent / wherof all thynges dothe iſſue / whiche be the cauſes of any thynge. ¶ The ſeconde is to reſtrayne the paſſyons of the mynde troubled / whiche the grecyans call Pathe / and appetytes that they call Ormas / to make obey to reaſon. ¶ The thyrde is to vſe moderately and wyſely ſuche as we be accompanyed / with whoſe ſtudy and myndes we haue ſuche thynges as nature deſyreth fully and habundauntly. And to conclude / if any incommodyte be brought to vs by them / let vs refyſe it / and be reuenged vpon them that be aboute to hurte vs / and lette vs punyſſhe them ſo as ferforth as equytie ⁊ humanytie ſuffreth. By what reaſones we maye bryng to paſſe to do this / that we may wynne the good hertes of mē I ſhal ſhewe mor ſo moche after but I muſte ſomwhat ſpeake of before. ¶ That there is great power in fortune vpō bothe ſydes / bothe to good fortune and alſo to euyll. What is he but he knoweth whan we vſe her good blaſte and fauour / we be cōueyed to theffecte of our deſyre. And whan ſhe bloweth cōtrary we are in vexacyon. ¶ Therfore this fortune hath other chaūces more ſeldom. Fyrſt of thynges hauyng no lyfe /

tempeſtates, naufragia, ruinas, incendia. Deinde à beſtiis ictus, morſus, impetus. Hæc igitur (ut dixi) rariora. At uero interitus exercituum, ut proxime trium, ſæpe multorum clades imperatorū, ut nuper ſummi, ac ſingularis uiri. Inuidiæ præterea multitudinis, atq; ob eas, benemeritorū ſæpe ciuiū expulſiones, calamitates, fugæ, rurſuſq; ſecundæ res, honores, imperia, uictoriæ quanquam fortuita ſunt, tamen ſine hominum operibus & ſtudiis, neutram in partem effici poſſunt. Hoc igitur cognito, dicendum eſt, quo nam modo hominū ſtudia ad utilitates noſtras allicere, atq; excitare poßimus. Quæ ſi longior fuerit oratio, cum magnitudine utilitatis cōparetur, ita fortaſſe etiam breuior uidebitur.

QVIBVS RATIONIBVS hominesmouentur ad aliquem honeſtandum.

QVæcunq; igitur homines homini tribuunt, ad eum augendum, atq; honeſtandum, aut beneuolentiæ gratia faciūt, cum aliqua de cauſſa quenpiam diligūt, aut honoris, ſi cuius uirtutem ſuſcipiunt, & ſi quem dignū fortuna quam ampliſsima putant, aut cui fidē habent, & bene de rebus ſuis conſulere arbitrantur, aut cuius opes metuūt, aut contra à quibus aliquid expectant, ut cum reges, populares ue homines largitiones aliquas proponunt, aut poſtremo pretio, aut mercede ducūtur, quæ ſordidißima quidem eſt ratio, & inquinatißima & his qui ea tenentur, & illis qui ad eam cōfugere conantur. Male enim ſi res habet,

ſtormes/tempeſtes/ wrakes / ruynes ⁊ brennynges. Seconde of beeſtes/ ſtrokes / bytynges / aſſaulte. Therfore as I ſayd theſe be more ſeldome. But the diſtruction of armyes and hoſtes / as of late of thre hoſtes / of the dethe of many graunde capitaynes/ as of late of a great and a ſynguler man. Ferther of the enuy of a multytude / ⁊ for them expulſyons of men out of cyte that haue well deſerued of the com̄e welthe/calamytees and ſorowes/departynges fro their countrey. And vpon the other ſyde proſperytees/honoures/empyres/ victories though they be caſuall/yet they can not come to effecte vpon neyther partie without the dyligence and ſtudye of men. Therfore this knowen / I muſt ſpeke by what meane we may alure ⁊ ſtyrre the myndes of men to our profytes / whiche proceſſe though it haue be̅ ſomwhat perfuſe (lette it be compared with the quantyte of profyte/ and ſo peraduenture it ſhall ſeme breuer and ſhorter.

¶ For what conſyderacions men be moued to iudge any man worthy to be put in any authorytye or honour/ and why they be wyllyng to obey hym.

Therfore what ſo euer men aſcrybe or gyue to an other man to his auauncement or to his honoures/ eyther they do it of good wyll whan they loue any man for any cauſe / or bycauſe of honour if they do ſe the vertue of any man / and if they thynke any man worthy great worſhyp/ or whome they put credence and truſt in and thynketh that he loketh ſubſtancially vpo̅ their maters/ or whoſe rycheſſe they drede. Or contrary of whome they truſte to haue ſomwhat of as whan kynges or other lyberall me̅ that promes any brybes for their ambycion/ or to co̅clude be moued by monye or any rewarde/ which is moſt deteſtable meane ⁊ moſte vyleſt/ bothe to the̅ that be corrupt with them/ alſo to the̅ that labour to attayne to the deteſtable ambycion. That mater is in euyll caſe/

cum quod uirtute effici debet, id tẽtatur pecunia. Sed quo etiam nonnunquam hoc ſubſidium neceſſarium eſt, quemadmodum utendum ſit eo, dicemus, ſi prius, his de rebus, quæ uirtuti propiores ſunt, dixerimus. Atq; etiam ſubijciunt ſe homines imperio alterius, & poteſtati, pluribus de cauſis. Ducuntur enim aut beneuolentia, aut beneficiorum magnitudine, aut dignitatis præſtantia, aut ſpe ſibi id utile futurum, aut metu, ne ui parere cogantur, aut ſpe largitionis, promiſſionisq; capti, aut poſtremo, ut ſæpe in noſtra Repub. uidemus, mercede conducti.

NIHIL VTILIVS quid amari.

Rerum autem omnium nec aptius eſt quicquã ad opes tuẽdas, ac tenẽdas, q̃ diligi, nec alienius, quam timeri. Præclare Ennius. Quem metuunt, oderunt. Quem quiſq; odit, periiſſe expetit. Multorum autem odijs nullas opes poſſe obſiſtere (ſi antea fuit ignotum) nuper eſt cognitum. Nec uero huius tyranni ſolum, quem armis oppreſſa pertulit ciuitas, interitus declarat, quantum odium hominum ualeat ad peſtem, ſed reliquorũ ſimiles exitus tyrannorum, quorum haud ferè quiſquam interitũ ſimilem effugit. Malus enim eſt cuſtos diuturnitatis metus, contraq; beneuolentia fidelis eſt, uel ad perpetuitatẽ. Sed his, qui ui oppreſſos imperio coercent, ſit ſane adhibẽda ſæuitia, ut heris in famulos, ſi aliter teneri nõ poſſũt. Qui uero in libera ciuitate ita ſe inſtruũt, ut metuantur, his nihil poteſt eſſe dementius.

whan that thyng that ſhulde be brought to paſſe by vertue is accepted by money. But for as moche as this ayde of frendes is neceſſary ſomtymes / I ſhall declare howe it muſt be uſed/if I may ſpeake fyrſt of theſe thynges whiche be nygher to vertue. And men alſo ſubmyt them ſelfe to the authorite and power of an other man for dyuers cauſes. They are ledde by beneuolence or by multytude of benefytes/or for excellēce of dignyte/or for hope that the thynge ſhall be profytable to them in tyme to come/ or for drede that they myght be compelled by ſtronge hand/or for hope of brybes and promeſſe moued therto/ or fynally as we ofte ſe in our cōmen welthe/hyred therto for wages.

¶ There is nothynge more profytable to ſuche as be in authorite than to be loued of all men/ and to be dradde is bothe a reproche and no ſurety.

Of all thynges in the worlde there is nothynge more conuenyent to defende and kepe rycheſſe and authorite than to be well beloued / nor more contraryous than to be dradde/wherof Ennius the poete notably wryteth this wyſe. Men euer hate whome they drede/whom any man hateth he wyſſheth the ſame deed. And no ryches may reſyſt the malyce of many/if it were unknowen before/nowe of late it is knowen. Nor onely the dethe of this tyraunt/whome this cytie oppreſſed in batayle dyd ſuffre/declareth howe moche the malyce of men maye do to a miſchefe/ but alſo the ende of other lyke tyrauntes/ of whome ſcantly not one eſcaped lyke dethe. For drede is an yuell keper of contynuāce: agayne on the cōtrary parte beneuolence and loue is a ſure keper and tuter for euer. But ſeueryte muſt be ſhewed to ſuch as conſtrayne mē to their empyre by cōpulſyon / as to mayſters that be cruell to their ſeruaūt, if they can not otherwyſe be handled. They that ſo ordre thē ſelfe in a fre cytie that they be had in drede / there can be nothynge to the more madde

Quamuis enim dimerſæ ſint leges, alicuius opibus, quamuis tremefacta libertas, emergunt tamen hæc aliquando, aut iudicijs tacitis, aut occultis de honore ſuffragijs. Acriores autē morſus ſunt intermiſſæ libertatis, quam retentæ. Quod igitur latiſſime patet, neq; ad incolumitatē ſolū, ſed etiam ad opes, & potentiam, ualet plurimū, id amplectamur, ut metus abſit, charitas retineatur. Ita facillime quæ uolumus, & priuatis in rebus, & in Repub. conſequemur. Etenim q̃ ſe metui uolent, à quibus metuūtur, eoſdē metuant ipſi neceſſe eſt. Quid enim cēſemus ſuperiorē illū Dionyſiū, quo cruciatu timoris angi ſolitū, qui cultros metuens tōſoris, candēti carbone ſibi adurebat capillū? Quid Alexandrū Pheræū quo animo uixiſſe arbitramur, q̃ (ut ſcriptū legimus) cum uxorem Thebem admodū diligeret, tamen ad eam ex epulis in cubiculum ueniens, barbarū, & eum quidem, ut ſcriptum eſt, compunctum notis threicijs, diſtricto gladio iubebat anteiri. Præmittebatq; de ſtipatoribus ſuis, qui per ſcrutarentur arculas muliebres, & ne quod in ueſtimentis occultaretur telum, exquirerent. O miſerum, qui fideliorem & berbarum, & ſtignaticum putaret, quam coniugem. Nec eum fefellit opinio. Ab ea eſt enim ipſe propter pellicatus ſuſpitionem interfectus. Nec uero ulla uis imperij tanta eſt, quæ premente metu, poſſit eſſe diuturna. Teſtis eſt Phalaris, cuius eſt præter cæteros nobilitata crudelitas, qui non ex inſidijs interit, ut is, quem modo dixi, Alexander, non à paucis, ut hic noſter,

For thoughe the lawes be drowned by mayne power of ſome men/ though lyberty be made to quake/ yet all ſuche thynges ſomtyme ryſe vp and apere eyther by cloſe iudgemet of men/ or els in ſecrete voyces and fauour ſhewed in grauntynge offyces and authorites. The bytter and grudge of lyberty loſt be more ſharpe and greuous than of lybertye retayned and kepte. Therfore that thynge that is euydent & open/ and that not onely for helthe and ſauegarde/ but alſo is of great value bothe for rycheſſe and power/ let vs enhaũce it and embrace it/ that is that drede be exyled/ loue perfyte be retayned/ and ſo we ſhall very eaſyly optayne that thyng that we deſyre/ both in thynges touchyng priuate & alſo cõmen welthe. For they that wylleth them ſelfe to be had in drede/ it foloweth neceſſary ẏ they their ſelfe ſhall drede thoſe ſame of whome they are dred. For what ſhall we iudge of the elder Dioniſius/ with what turmẽt of drede was he wõt to be greued? which dredig raſures dyd ſyndge his heere with a cole. what of Alexander Phereus/ with what anxyous mynde thynke we that he lyued? which (as we rede in wrythig) where as he loued his wyfe Thebe, yet cõmyng to her frõ his table in to his chambre/ he cõmaũded a cruell bocherly knaue (as it is writẽ) burned with a theuous & a murdrers marke/ to go before him with a naked ſworde and ſent before hym ſome of his garde that ſhulde ſerche his wyues cofers) and ſhulde ſeke whether any weapon were hyd amonge her apparayle. O wretched man/ that thought a bocherly knaue and marked for a murderer to be more truſty and trewe than his owne wyfe. Nor his myſtruſt diſceyued hym/ for in concluſyon he was ſlayne by her for ſuſpycion of ielouſy and kepynge of an harlotte. Nor there is no power of empyre ſo myghty that maye dure long/ that is kept vnder drede. Phalaris is a teſtymony, whoſe tyrãny is notable aboue al other, which was not ſlayne by treaſon as he whome I ſpake of late: Alexãder was not ſlayne of fewe as this our cõtre man

ſed in quē uniuerſa Agrigentinorū multitudo impetū fecit. Quid Macedones? nonne Demetriū reliquerunt, uniuerſiq; ſe ad Pyrrhū cōtulerunt? Quid Lacedæmones iniuſte imperantes? nonne repente omnes ferè ſocij deſeruerunt, ſpectatoresq; ſe otioſos præbuerunt Leuctricæ calamitatis? Externa libētius in tali re, quam domeſtica recordor. Veruntamē quandiu imperiū. Pōp. Rom. beneficijs tenebatur, nō iniurijs bella, aut pro ſocijs, aud de imperio gerebantur, exitus erant bellorū aut mites, aut neceſſarij, regum, populorū, rationū, portus erat, & refugiū ſenatus. Noſtri autē magiſtratus, imperatoresq; ex una ac re maximam laudē capere ſtudebāt, ſi ꝓuincias, ſi ſocios æquitate, & ſide defendiſſent. Itaq; illud patrociniū orbis terræ uerius, quam imperiū poterat nominari. Senſim hanc conſuetudinem, & diſciplinā, iam antea minuebamus. Poſt uero Syllæ uictoriam, penitus amiſimus. Deſitū eſt enim uideri quicquā in ſocio iniquū, cum extitiſſet etiam in ciues tanta crudelitas ergo in illo ſecuta eſt honeſtā cauſſam, non honeſta uictoria. Eſt enim auſus dicere haſta poſita, cū bona in foro uēderet, & bonorū uirorū, & locupletum, et certe ciuiū, prædam ſuam ſe uēdere. Secutus eſt, q in cauſſa impia uictoria etiam fœdiore nō ſolū ſingulorum ciuiū bona publicaret, ſed uniuerſas prouincias, regionesq; uno calamitatis genere comprehenderet. Itaq; uexatis, & perditis exteris nationibus, ad exemplum amiſſi imperij portari in triumpho Maſſiliam uidimus, & ex ea urbe triumphari.

and vpon whome all the multytude of the Agregentynes made aſſaulte. What dyd the Macedonyens / dyd they not forſake Demetryus / and vnyuerſally reſort to Pyrthus? What the Lacedemonyens that ruled wronfully? dyd not their companye forſake them ſodaynly for the moſte parte / and ſtode lokyng vpon them / and ſtroke neuer a ſtroke in the diſtructiõ of the Leutryanes. I had leauer recyte in ſuche a caſe than of our countrey men. Not withſtandynge as longe as the empyre was kepte of the Romaynes by benefytes / and not with iniurye / batayle was kept eyther for our felowes with vs confederate / or for thentent to beare rule / the ſenate of Rome was as an hauen and refuge of kynges / people / and nacyons. Our offycers / capitaynes ſtudyed by one meane to gette them moſte prayſe / if they defended prouynces and their felowes in warre / by iuſt delynge and faythefull. And ſo that myght be called ayde and aſſyſtence in all the worlde better than empyre. We dymynyſſhed by lytell and lytel that cuſtome and diſciplyne a good whyle a go. After the vyctorye of Sylla we loſte that vtterly / for it ceaſſed that any thynge ſhulde ſeme iniurye to our frendes / whan ſuche crueltye dyd appere to men of the cytie / therfore in that behalfe an inhoneſt victorye folowed an honeſt cauſe. For Sylla was bolde whan his ſpeare was pytched downe / whan he ſolde other mennes goodes / bothe honeſt and ryche men / and of ſurety of men of the cytie / that he ſolde his prizes gotten by lawe of armes. One dyd ſuccede hym / which in a wycked and an heynous cauſe by a more cruel victory / not only ſolde openly the goodes of all the cytezyns perticuler / but alſo toke in all prouynces and regyons vnder one maner of calamytie & myſery. And ſo ſtraunge nacyons vexed and diſtroyed to the enſample of our empyre loſt / we ſe Marſilam borne in tryumphe / & tryumphe made of that cytie

ſine qua nunquam noſtri imperatores ex tranſalpinis bellis triumpharunt. Multa præterea commemorarem nefaria in ſocios, ſi hoc uno ſol quicquam uidiſſet indignius, Iure igitur plectimur. Niſi enim multorum impunita ſcelera tuliſſemus, nunquam ad unum tanta perueniſſet licentia. A quo quidem rei familiaris ad paucos, cupiditatum ad multos improbos uenit hæreditas. Nec uero unquam bellorum ciuilium ſemen, & cauſa deerit, dum homines perditi haſtam illam cruentam & meminerint, & ſperabunt, quam P. Sylla cum uibraſſet, dictatore propĩquo ſuo, idem ſexto & trigeſimo anno poſt à ſceleratione haſta non receſſit. Alter autem qui in illa dictatura ſcriba fuerat, in hac fuit Quæſtor urbanus. Ex quo debet intelligi, talibus premiis propoſitis, nunquam de futura bella ciuilia. Itaq; parietes urbis modo ſtant, & manent, iiq; ipſi iam extrema ſcelera metuentes. Rem uero publicã penitus amiſimus, atq; in has clades incidimus. Redeũdum eſt enim ad propoſitum dum metui quã chari eſſe, & diligi maluimus. Quæ ſi Po. Ro. iniuſte imperãti accidere potuerũt, quid debẽt putare ſinguli? Quod cum perſpicuum ſit beneuolentiæ uim eſſe magna, motus imbecillem, ſequitur ut diſſeramus, quibus rebus poſſimus facillime eam, quam uolumus adipiſci cum honore, & fide charitatem. Sed ea non pariter omnes egemus. Nam ad cuiuſq; uitam inſtitutam accommodandum eſt, à multis ne opus ſit, an ſatis ſit à paucis diligi. Certum igitur hoc ſit, & id quidem & primum, & maxime neceſſarium

without the ayde of the whiche cytie our graunde capytaynes dyd neuer triumphe of any batayle made beyonde the moūtaynes of alpes. I wolde reherce beſyde this many wronges doone agayne our felowes in warre / if the ſonne ſhynyng had ſene any thynge more heynous than this/therfore we are punyſſhed of ryght. For ſaue onely that we ſuffred the miſcheuous dedes of many vnpunyſhed/ſo great liberty of vſurpacion had neuer come to the handes of one man/by whome the enherytaūce of houſholde kepynge is come to fewe, but of falſe coueytyſe it is come to many wretches and naughty perſones. Nor the vnhappy ſede and occaſyō of warre within our ſelfe ſhall lacke whyles men remembre the bloody and cruell ſpeare of one miſcheuous man pytched / and ſhall loke for it agayne/whiche ſpeare whan Publius Sylla dyd ſhake/ his dictator and emperour beyng nye/the ſame ſyde. lxvi. yere after departed not from a more myſcheuous speare ſtaffe. He that in that dictature was ſcrybe/after another maner in this dictature later was generall receyuour for the cytie/wherof it muſt be gathered that ſuch bryberous rewardes promeſſed / batayle within our ſelfe ſhall not lacke. And ſo the walles of our cytie nowe ſtande and remayne/& the ſame ſelfe walles drede nowe extreme myſchefe. we haue vtterly loſt our cōmen welthe/and are fall vtterly in to this myſeries. we muſt returne to our purpoſe/whyles we had leauer be had ī drede thā loue/whiche miſfortunes if they myght chaūce to the romayns iniuſtly gouernīg/what ſhulde euery partyculer mā thynke which where it is euidēt that loue and good. wyll hath a great ſtroke/and drede but a ſmall & weake. It foloweth that we may ſay by what meanes we may eaſyly optayne this loue & good wyll that we deſyre & honour & faythfull mīde of other. But we all not after lyke maner haue nede therof/for it muſte be aplyed to the order of euery mannes lyfe/ whether it be neceſſarye to be beloued of many/or ynough to be beloued of few. Therfore let this be a certayne/and the ſame prīcypall & moſte neceſſary

familiaritates habere fidas, amantium nos amicorum, & noſtra mirantium. Hæc enim eſt una res prorſus, ut non differat multum inter ſummos, & mediocres uiros, eaq; eſt utriſq; propemodũ comparanda honore, & gloria & beneuolentia ciuium fortaſſe non omnes æque egent. Sed tamen ſi cui hæc ſuppetunt, adiuuant aliquantum, tum ad cetera, tum ad amicitias comparandas. Sed de amicitia alio libro dictum eſt, qui in ſcribitur Lælius. Nunc dicamus de gloria, quanquam ea quoq; de re duo ſunt noſtri libri. Sed attingamus, quandoquidem ea in rebus maioribus adminiſtrandis adiuuat plurimum.

DE HIS, EX QVIBVS gloria conſtat.

SVmma igitur & perfecta gloria conſtat tribus his, ſi diligit multitudo, ſi fidem habet, ſi cum admiratione quadam, honore nos dignos putet. Hæc autem (ſi eſt ſimpliciter, breuiterq; dicendum) quibus rebus pariuntur à ſingulis, eiſdem ferè à multitudine. Sed eſt alius quoq; quidam aditus ad multitudinem, ut in uniuerſorum animos tanquam influere poſsimus.

QVA RATIONE BENEVOlentia multitudinis comparetur.

AC primum de illis tribus, quæ ante dixi, beneuolentiæ præcepta uideamus, quæ quidem capitur beneficiis maxime. Secundo autem loco benefica uoluntate beneuolentia mouetur, etiamſi res forte non ſuppetit.

that is to haue the faſt and ſure famyliarytes of our frē=des that loue vs/and that prayſe our dedes. For this is a thynge by hym ſelfe verely that moche dyffer bytwene great men and meane men, and it is almoſte compared to bothe partes. Peraduenture euery man hath not lyke nede of honour/fame/and good wyll of the cytezyns/but notwithſtandyng if theſe thinges chaūce unto any man. they ſomwhat helpe bothe to gette other thynges/alſo to get amyte and loue. But of amyte and loue. I haue ſpoke in an other boke/ whiche is entytled Lelius. Nowe let vs ſpeake of glory and fame/though of that mater there be two bookes of my compylyng. But lette vs touche it bycauſe glory and fame helpeth moche in ordringe of greater maters.

¶ Wherof glory and fame ryſeth/and by thre thynges ſpecially a cōmenty is moued that they iudge a man worthy honour/beneuolence/credence/and prayſe.

Wherfore the hyeſt and perfyte fame ſtādeth in theſe thre poyntes. If a multytude loue vs/if they put truſt i vs/if with a prayſe they iudge vs worthy honour. Theſe (if a man ſhulde ſpeake playnly and brefely) by what meanes they be gotten of ſynguler and partyculer men/by the ſame almoſte they be got of a multytude. But there is an other entre or way to a multytude/ſo that we may iſſue in to the good myndes of all men vnyuerſally.

¶ By what reaſon the good wyll of a multytude is wonne and got

AND prīcipally of thoſe thre partes wherof I ſpake before/let vs conſydre the preceptes of beneuolēce whiche is won ſpecially by benefytes. Secōde by good wyl a beneuolēce is moued/ye tho ryches be not redy at hāde

Vehementer autem amor multitudinis cõmouetur ipſa fama, & opinione liberalitatis, beneficentiæ, iuſtitiæ fidei, omniumq; earum uirtutum, quæ pertinent ad manſuetudinem morum, ac facilitatem. Etenim illud ipſum, quod decorum, honeſtumq; diximus, quia per ſe nobis placet, animoſq; omnium natura & ſpecie ſua commouet, maximeq; quaſi perlucet ex his quas cõmemoraui, uirtutibus. Idcirco illos in quibus eas uirtutes eſſe remur, à natura ipſa diligere cogimur atq; hæ quidẽ cauſſæ diligendi grauiſſimæ, poſſunt enim præterea nonnullæ eſſe leuiores.

QVIBVS REBVS FIDES acquiratur.

FIdes autem habeatur , duabus rebus effici põt ſi exiſtimabimur adepti cõiunctam cũ iuſtitia prudentia. Nã & his fidem habebimus, quos plus intelligere quam nos arbitramur, quoq; & futura porſpicere credimus, & cũ res agatur, in diſcrimẽq; uentũ ſit, expedire & conſiliũ ex tempore capere poſſe. Hanc enim omnes exiſtimant utilẽ, ueramq; prudentiã. Iuſtis autem & fidis hoĩbus, id eſt bonis, ita fides habetur, ut nulla ſit ĩ his fraudis, iniuriæq; ſuſpicio. Itaq; his ſalutẽ noſtrã, his fortunas, his liberos rectiſſime cõmitti arbitramur. Harũ igitur duarũ ad fidem faciendam iuſtitia plus pollet. Quippe cũ ea ſine prudẽtia ſatis habeat authoritatis, prudẽtia ſine iuſticia nihil ual ad faciendã fidẽ. Quo enim quis uerſutior, & callidior, hoc inuiſior, & ſuſpectior , detracta opinione probitatis.

The loue of a multytude is moued with fame and opynion of lyberalyte and of bountyfulneſſe/ of iuſtyce & trewe dealynge / and of all other vertues whiche pertayne to gentylneſſe and facultye of good maners. For that ſame thyng that we haue called comlyneſſe and honeſty/ for it pleaſeth vs by it ſelfe / and moueth the hertes of all men by his own nature and with his beautie/and ſpecially as a mā wolde ſay/it is burnyſſhed with theſe vertues that I haue reherſed. Therfore we are compelled to loue the in whome we iudge theſe vertues by nature/and theſe be cauſes of loue of weyght/For there maye be beſydes theſe ſome other of lyghter ponder.

¶ By what meanes it is brought to paſſe that credence and faythe is gyue to vs

That credence may be gyue to vs it may be brought to paſſe by two meanes / if we maye be eſtemed to haue optayned prudence ioyned with iuſtyce. For we gyue credence to ſuche whome we iudge to vnderſtande more than we do/and whome we thynke to prouyde for thynges to come/ and whan the mater is in hande and cometh to daunger/that they be of power to diſpatche it and that be able to take counſayle out of hande. For this all men eſteme a profytable and a trewe prudence. Credence and faythe is to be gyue to iuſt and faythfull men/ that is to ſay to honeſt men/ſo that no ſuſpycion of fraude and iniury be in them. Therfore we thynke ryght well that our helthe and welthe be put ĩ truſt with them/allſo our goodes and our chyldren. Therfore of theſe two/iuſtyce is more excellent to trye credence & truthe. For this iuſtyce without prudence maye haue ſuffycient authorite but prudence without iuſtyce is nothynge worthe to the tryall of credence and truſt. For the more ſwaruyng and craftyer that a man is/in ſo moche he is had in hate and more ſuſpycion/the good opinyon of honeſty take away.

Quamobrem intelligentia iuſtitia coniuncta, quantum uolet, habebit ad ſaciendam fidem uiriũ. Iuſtitia ſine prudentia multum poterit, ſine iuſtitia nihil ualebit prudentia. Sed ne quis ſit admiratus, cur, cum inter omnes philoſophos conſtet, à meq; ipſo ſæpe diſputatum ſit, qui unam haberet, omnes habere uirtutes, nunc ita ſeiungam, quaſi poſſit quiſquam, q non idem prudens ſit, iuſtus eſſe. Alia eſt illa, cum ueritas ipſa limatur in diſputatione, ſubtilitas. Alia, cum ad opinionẽ cõmunem omnis accõmodatur oratio. Quamobrem, ut uulgus, ita nos hoc loco loquimur, ut alios fortes, alios bonos uiros, alios prudentes dicamus. Popularibus enim uerbis eſt agendum, & uſitatis, cum loquimur de opinione populari. Idq; eodem modo fecit Panætius. Sed ad propoſitum reuertamur.

QVIBVS REBVS CONSEQVImur, ut multitudo nos admeretur, & honore dignos putet.

Erat igitur ex tribus, quæ ad gloriam pertinẽt, hoc tertium, ut cum admiratiõe hominũ, honore ab his digni iudicaremur. Admirantur cõmuniter igitur, & illi quidem omnia, quæ magna præter opinionẽ ſuam animaduerterunt, ſeparatim autem in ſingulis, ſi perſpiciunt quædam bona nec opinata. Itaq; eos uiros ſuſpiciunt, maximiſq; efferunt laudibus, in qbus exiſtimãt ſe excellentes quaſdã, & ſingulares uirtutes perſpicere. Deſpiciũt autẽ eos et cõtemnunt, in quibus nihil uirtutis, nihil animi, nihil neruorũ putant.

wherfore iuſtyce ioyned with prudence ſhall haue what he wyll to ſaye the truthe what a man is able to do. Iuſtyce without prudence may do moche/but prudēce without iuſtyce maye nothynge do. But let no man meruayle why whan it is certayne to all phyloſophers / and of me ofte diſputed / he that hath one ve[illegible] hath all / now I wyll ioyne thē togythers/as a man [illegible] iuſt though he be not wyſe. ¶The ſubtylyte and quiddyte is a nother maner of thynge/whan truthe it ſelfe is fyled or ſubtylly handled in diſputacyon / and an other maner of thynge whan all altercacyon is aplyed to the vulgare and commen opinyon. Wherfore as the cōmen people do ſpeake/ ſo I in this place / ſo that I call ſome manly men / ſome good men/ſome wyſe mē. I muſt ſpeake with the termes of the commen people / and ſuche as be vſed whan we ſpeake of the opinyon vulgare and cōmen. And the ſame thynge after the ſame maner dyd Panecius. But let vs returne to our purpoſe.

¶By what reaſons we do optayne that a multytude is moued to prayſe vs and thynke vs worthy honour/and contrary wherfore contempt.

Therfore this was the thyrde thyng of the thre that pertayneth to glorye and fame / that we ſhulde be iudged worthy honour with great meruayl and prayſe of mē. Therfore they prayſe al thynges by one aſſent which they note and conſyder to be valyaunt & aboue their opinyon/and ſeuerally in euery thyng pertyculer if they perceyue ſome thynges good/cōtrary to their opinyon. Therfore they beholde thoſe men and do extoll them with ſyngular prayſe /in whome they eſteme that they ſe ſome excellent and ſyngular vertues. They diſpyſe contrarye ſuche and ſette theym at nought / in whome they iudge no vertue / no ſtomake / no pythe or ſtrength to be

Non enim omnes eos cõtemnunt, de quibus male existimant. Nam quos improbos, maledicos, fraudulentos putant, & ad faciendam iniuriã instructos, eos haud cõtemnunt quidem, sed de his male existimãt. Quamobrem (ut ante dixi) cõtemnuntur hi, q̃ nec sibi nec alteri prosũt, ut dicitur in quibus nullus labor, nulla industria, nulla cura est. Admiratione quadã afficiuntur hi, qui anteire cæteros uirtute putantur, & cũ omni carere dedecore, tum uero his uitijs, quibus alij nõ facile possunt obsistere. Nam & uoluptates blãdissimæ dominæ, sæpe maiores partes animæ à uirtute detorquẽt, & dolorũ cum admouẽtur faces, præter modum pleriq; exterrentur. Vita, mors, diuitiæ, paupertas, omnes homines uehementissime permouẽt. Quæ qui in utranq; partem excelso animo, magnoq; despiciũt, cumq; aliqua his ampla, & honesta res obiecta est, totosq; ad se conuertit, & rapit, tum quis nõ admiretur splendorẽ, pulchritudinemq; uirtutis? Ergo & hæc animi despiciẽtia, admirabilitatem magnam facit, & maxime iustitia, ex qua una uirtute uiri boni appellãtur, mirifica quædã res multitudini uidetur, nec iniuria. Nemo enim iustus esse potest, q̃ mortẽ qui dolorẽ qui exiliũ, egestatem timet, aut qui ea, quæ his sũt cõtraria æquitati anteponit. Maximeq; admirãtur eũ, q̃ pecunia nõ mouetur, qđ in quo uiro perspectũ sit, hũc dignũ spectatu arbitrãtur. Itaq; illa tria (quæ proposita sũt ad gloriã assequendũ) oĩa iustitia cõficit, & beneuolẽtia, qđ prodesse uult plurimis, & ob eandẽ caussam fidẽ, & admirationẽ belli

For they do not deſpyſe thoſe of whome they haue an euyll opynyon/for ſuche as they iudge lewde/euyll tonged, fraudulente and falſe/and experte to do iniurye/ they do not deſpyſe them/but they haue an euyll opynyon of thē. Wherfore as I ſayde before / thoſe be had in contempte that neyther profyte them ſelfe nor other (as it is ſayde) in whome is no labour/no dylygēce/no care nor thought ¶Thoſe maner of perſones be take in prayſe whiche are thought to excell other in vertue/and bothe they be without all maner of reproche / and alſo ſuche vyces whiche other can not lyghtly reſyſt. For bothe pleaſures fayre and amyable mayſters ofte tymes wrythe the bygger partes of the ſoule fro vertue / and alſo whan the fyrebrondes of dolour and paynes be ſtyrred and layde vnto all men for the moſte parte are frayde awaye beyonde meaſure. Lyfe / dethe rycheſſe / pouerty moueth very vehemently all maner of men/whiche thynges they that diſpyſe vpon bothe ſydes with an hye and a valyaunt herte / and whan anye thynge laudable and vertuous is put vnto theym / and turneth and plucketh holly to them ſelfe/ who than wyll not prayſe the excellence and beautie of this vertue of force. ¶Therfore this diſpyſynge of the mynde of man cauſeth great prayſe / and ſpecially iuſtyce / and of the whiche onely vertue honeſt and good men be named/it ſemeth a merueylous thynge to a multytude / nor without cauſe. For no man can be iuſt that dredeth dethe / that dredeth ſorowe and payne/ exyle / nede and pouertye / or preferreth thoſe thynges whiche be contrary to equyte and iuſtyce. And ſpecially they prayſe hym whiche is not corrupte with money/ which thynge looke in what man is ſene / men iudge hym worthy to be prayſed. ¶Therfore iuſtyce bryngeth to paſſe all ſuche thynges as be open to honoure and beneuolence of men / bycauſe it wyll profyte very many and for the ſame cauſe it hath credence and prayſe.

quod eas res ſpernit, & negligit, ad quas pleriq; inflammati auiditate rapiuntur. Ac (mea quidē ſententia) omnis ratio et inſtitutio uitæ, adiumēta hominū deſyderat. In primiſq; ut habeas, quibus cum poßit familiares cōferre ſermones, quod eſt difficile, niſi ſpeciem præ te boni uiri feras. Ergo etiam ſolitario homini, atque in agro uitam agenti, opinio iuſticiæ neceſſaria eſt, eoq; magis, quod ſi eam nō habebūt, iniuſti habebūtur, nullis præſidijs ſepti, multis afficiētur iniurijs. Atq; his etiam, qui uendunt, emunt, conducūt, locāt, cōtrahendiſq; negocijs implicantur, iuſticia ad rem gerendam neceſſaria eſt. Cuius tanta uis eſt, ut nec illi quidē, qui maleficio & ſcelere paſcuntur, poßint ſine ulla particula iuſticiæ uiuere. Nam q eorum cupiam, qui unà latrocinantur furatur aliquid, aut clam eripit, is ne ſibi in latrocinio quidē relinquit locū. Ille autem qui archipirata dicitur, niſi æquabiliter prædam diſpartiat, aut occidetur à ſocijs, aut relinquetur. Quinetiam leges latronū eſſe dicūtur, quibus pareant, quas obſeruent. Itaq; propter æquabilem prædæ partitionem, & Bargulus Illyricus latro (de quo eſt apud Theopompum) magnas opes habuit, & multo maioris Viriatus Luſitanus, cui quidē exercitus noſtri imperatoreſq; ceſſerunt, quem C. Lælius, is qui ſapiens uſurpatur, prætor fregit, & cōminuit, ferocitatemq; eius ita repreßit, ut facile bellū reliquis traderet. Cū igitur tāta uis iuſticiæ ſit, ut ea etiā latronū opes firmet atq; augeat, quantā eius uim inter leges & iudicia, & inſtitutā Reipub. fore putamus?

but it diſpleſeth and letteth not by ſuche thynges to the whiche all for the moſte partie enflamed are vyolently drawen by a gredy appetyte. And in my mynde all reaſon and ordre of this lyfe deſyreth ayde and helpe of mẽ, and in eſpeciall that a man haue ſuche men with whome thou mayſt haue famylier cõmunycacion/ whiche is harde excepte thou ſhewe in thy ſelfe the maner of a good man. Therfore bothe it is neceſſary to a man ſolytary and lyuynge in the countrey the opinyon of iuſtyce / and in ſo moche the more that if caſe be that they ſhall not haue it/ they ſhalbe take for vniuſt men defended by no ſuccour/ and troubled with many iniuryes. And to all ſuche that bye and ſell / take to hyre or lette to hyre / and be taught with hãdlyng of any buſyneſſe iuſtyce is neceſſarye to do the mater/ whoſe power is ſo great that neyther they that be ſatyſfyed with myſchefe ⁊ crudelyte may without any porcion of iuſtyce lyue. For he that ſtealeth any thynge from them that robbe togyther in a companye / or taketh from hym/ leaueth he any place for hym ſelfe in robbery or no. He that is called capitayne of the pyrates and robbers by ſee/ excepte he deuyde egally the praye taken / eyther he ſhall be kylled of his company / or els forſaken ⁊ lefte deſtytute. Alſo there be lawes ſayde to be amonge theues/ to whome they obey/ and whiche they kepe. And ſo for his egall dyuiſyon of a pray taken Bargulus a pyrate vpon the ſee of Illury (of whome mencyon is made in Theopompus) had great ryches ſſe / and moche more had Viriatꝰ a portyngale/ to whom our armye of Rome and graunde capytaynes gaue place / whiche Viriatus Caius Lelius (whiche was take for a wyſe man) beynge mayre ouercame and conuynced / and ſo repreſſed his crueltye that he cõmytted the batayle forthwith to other me. Therfore whã the effycacy of iuſtyce may be ſo great that it enſtableth ⁊ encreaſeth the ryches of theues/ howe great a ſwynge and authoryte thynke we it ſhall haue amonge lawes/ iudgementes ⁊ ordre of the cõmen welthe

Nihil quidem nõ apud Medos ſolũ, ut ait Herodotus, ſed etiã apud maiores noſtros ſeruãdæ iuſtitiæ cauſſa, uidẽtur olim bene morati reges conſtituti. Nam cũ premeretur inops multitudo ab his, qui maiores opes habebant, ad unũ aliquẽ confugiebãt uirtute preſtantem, qui cum prohiberet iniuria tenuiores, æquitate conſtituẽda, ſummos cũ infimis pari iure retinebat. Eademq; conſtituendarum legum fuit cauſſa, quæ regũ. Ius enim ſẽper quæſitũ eſt æquabile, neq; enim aliter eſſet ius. Id ſi ab uno iuſto, & bono uiro conſequebantur, eo erant contenti, cum id minus cõtingeret, leges ſunt inuentæ, quæ cum omnibus ſemper una, atq; eadẽ uoce loquerentur. Ergo hoc quidem perſpicuum eſt, eos ad imperandũ deligi ſolitos, quorũ de iuſtitia magna eſſet opinio multitudinis, adiuncto uero hoc, ut ijdem etiam prudentes haberentur, nihil erat quod homines his authoribus nõ poſſe cõſequi ſe arbitrarentur. Omni igitur ratione colenda, & retinenda iuſtitia eſt, tum ipſa propter ſe (nam aliter iuſtitia non eſſet) tum propter amplificationem honoris & gloriæ. Sed ut pecuniæ quærẽdæ non ſolũ ratio eſt, ſed etiam collocandæ, quæ perpetuos ſumptus ſuppeditet, nec ſolũ neceſſarios, ſed etiã liberales, ſic gloria quærẽda, & collocãda ratiõe eſt. Quanquã præclare Socrates hanc uiã ad gloriã proximã, & quaſi cõpendiariã dicebat eſſe, ſi quis id ageret, ut qualis haberi uellet, talis eſſet. Quod ſi qui ſimulatione, & inani oſtentatione, & ficto nõ modo ſermone, ſed etiam uultu ſtabilem ſe gloriam conſequi poſſe rentur,

Me thynkes that not onely the Medys (as Herodotus ſayth) but alſo with our elders/ that well manerde kynges were electe and ordeyned for the entent to kepe and obſerue iuſtyce. For whan a poore man was oppreſſed/ a company or a multytude had recourſe fro ſuche that had greater rycheſſe to ſome one man that was excellent in vertue/ whiche whan he dyd defende the weaker partes from wronge in ſettynge an equyte/ he kepte in bothe hye and lowe in a lyke lawe. And this was the ſelfe ſame cauſe to make lawes/ that was the cauſe of electyon of kynges/ for ryght was euer ſought egally. For by any other meanes ryght coulde not be. If ſo be they coulde optayne this of any one iuſte and good man they were cōtent with hym/ whan this dyd not chaūce lawes were founde/ which lawes with all mē with one and the ſame voyce ſhulde ſpeake. Therfore this is open that ſuche men were wonte to be pyked out to gouerne and rule/ of whoſe iuſtyce and trewe dealynge there was a great opynyon in a multytude. This adioyned to/ that the ſame men ſhulde be taken prudent and cyrcumſpecte/ there was nothynge but men thoughte it mought be brought to paſſe by the authorite of ſuche men. Therfore by all maner of reaſon iuſtyce is to be obſerued/ bothe for it ſelfe (for otherwyſe iuſtyce coulde not be) alſo for the aduauncement of honour and fame. But lyke as there is a conſyderacyon not only of ernynge of money but alſo of beſtowynge therof/ whiche ſhall myniſtre and beare out our contynuall expenſes/ nor onely neceſſarye but alſo lyberall/ ſo fame is to be ſought and to be ordred in place by reaſon. Thoughe nobly Socrates ſayde that this waye was nexte to fame/ and as an eaſy and a breue waye/ if any man wolde do that he ſhulde be in dede as he wolde be take. But if ſo be that they whiche thought them ſelfe that they myght obtayne by diſſymulacyon and vayne braggynge ſtable fame /

vehementer errat. Vera gloria radices agit, atq; etiam propagatur. Ficta omnia ſceleriter tanquam floſculi decidunt, nec ſimulatum poteſt quicquam eſſe diuturnum. Teſtes ſunt permulti in utranq; partem, ſed breuitatis cauſſa, familia erimus cõtenti una. Tyberius enim Gracchus, Publij filius, tamdiu laudabitur, dum memoria rerum Romanorũ manebit. At eius filij nec uiui probabantur, & mortui, nomẽ obtinent iure cæſorum. Qui igitur adipiſci ueram gloriã uolent, iuſtitiæ fungantur officijs, & ea quæ eſſent, dictum eſt in libro ſuperiore . Sed ut facillime quales ſimus, tales eſſe uideamur, & ſi in eo ipſo uis maxima eſt, ut ſimus hi, qui haberi uelimus, tamen quædam præcepta dãda ſunt. Nam ſiquis ab ineunte ætate habet cauſſam celibritatis, & nominis, aut à patre acceptam (quod tibi arbitror mi Cicero cõtigiſſe) aut aliquo caſu, atq; fortuna, in hunc oculi omnium conijciuntur, atq; in eo quid agat, quemadmodum uiuat inquiritur, & tãquam in clariſſima luce uerſatur, ita nullum obſcurum poteſt nec dictũ eius eſſe, nec factum. Quorum autem prima ætas propter humilitatem, & obſcuritatem in hominum ignoratione uerſatur, hi ſimul ac iuuenes eſſe cœperunt, magna ſpectare, & ad ea rectis ſtudijs debent contendere, quod eo firmiore animo facient, quia non modo non inuidetur illi ætati, uerumetiam fauetur.

STVDIA ADVLESCENTIum quæ exiſtimationem augent, rei militares.

they be greatly out of the way. Very and trewe fame taketh root and ſetteth forthe his braunches / but all conterfayte thynges ſwyftly as floures dothe fade and fall, nor any thynge diſſembled maye be of longe contynuaunce. There be many wytneſſe vpon bothe partes/but bycauſe of breuyte we wyll be content with one ſamplyer. For Tyberius Gracchus the ſonne of Publius ſo longe ſhall be had in prayſe / whyles the memorye of the romaynes lettes remayneth/but his ſonnes were not cōmended beyng a lyue/and after their dethe they gotte a name after the maner of men that be ſlayne. Therfore they that wyll get very glorye and fame let them vſe the offyce of iuſtyce /and the thynges that were ſpoken of in the fyrſt booke. But to the entent that we may eaſyly be ſuche mē in dede as we appere/& though there be a great effycacy in that thynge that we ſhall be ſuche as we wyll be taken/yet certayne preceptes are to be made. For if any man fro yonge age haue the tytle of fame and name/ eyther taken of his father (which I iudge is chaunſed to the my ſonne Cicero) or by any caſualtye or fortune / the eyen of all men be caſte vpon hym / and men enquyre of hym what he dothe / and vnder what maner he lyueth/ and he is occupyed as a mā in the open lyght day, ſo that no worde nor dede of hym may be derke/whoſe fyrſt age by reaſon of imbecyllite and darkneſſe of knowlege is turmoyled in the ignoraunce of men. But after they begyn to entre in to the age of diſcrecyon called iuuentus/ they ought to regarde maters of grauyte / and labour to attayne to them by ryght and vertuous ſtudyes/whiche they ſhall do in ſo moche with a more ſtable mynde / bycauſe not onely there is no enuye had to that age, but rather fauour is ſhewed.

¶ Here Tully ſheweth of the offyce of a yonge man to get hym glory and fame/ alſo for what conſyderacyons yonge men be prayſed of the people.

PRima igitur eſt aduleſcenti cõmendatio ad gloriam, ſi qua ex bellicis rebus comparari poteſt, in qua multi apud maiores noſtros extiterũt, ſemper enim ferè bella gerebantur. Tua autem ætas incidit in id bellum, cuius altera pars ſceleris nimiũ habuit, altera felicitatis parũ. Quo tamen in bello, cũ te Pompeius alæ alteri præfeciſſet, magnã laudẽ & à ſummo uiro, & ab exercitu conſequebare, equitando, iaculando, omnia militari labore tolerando, atq; ea quidem tua laus, pariter cũ Repub. cecidit. Mihi autẽ hæc oratio ſuſcepta non de te eſt, ſed de genere toto. Quamobrem ad ea, quæ reſtant pergamus. Vt igitur in reliquis rebus multo maiora ſunt opera animi, quam corporis, ſic hæ res, quas perſequimur ingenio, ac ratione gratiores ſunt quam illæ quas uiribus. Prima igitur cõmendatio proficiſcitur à modeſtia, tum pietate in parẽtes, tum in ſuos beneuolẽtia. Facillime aũt & in optimam partẽ cognoſcuntur aduleſcẽtes, qui ſe ad claros, & ſapientes bene cõſulentes uiros Reipub. cõtulerunt quibus cũ ſi frequentes ſunt, opinionem afferunt populo, eorum fore ſe ſimiles, quos ſibi ipſi deligerũt ad imitandum P. Rutilij aduleſcentiam, ad opinionem, & innocentiæ, & iuris ſcientiæ P. Mutij commendauit domus. Nam L. quidem Craſſus, cum eſſet admodum aduleſcens, non aliunde mutuatus eſt, ſed ſibi ipſe peperit maximam laudem ex illa accuſatione nobili, & glorioſa, ex qua ætate qui excercentur, laudibus affici ſolent, ut de Demoſthene accipimus. Ea ætate L. Craſſus

Therfore the pryncypall cōmendacion is for a yonge man to get hym prayſe and fame / if any be got / by the valyaunce in chiualry & feates of warre / in the which many in tyme of our elders dyd floriſſhe. For warre and batayle was exercyſed fro the begynnynge of the worlde almoſte. For thyne age chaunſed vpō that warre and batayle wherof the one ſyde had ouer moche myſchefe / the other lytle felycite / in the which batayle not withſtādyng where as Pompelus preferred the to the one wynge of that batayle / thou dyddeſt get great prayſe both of a valyaunt man & alſo of all the armye, vpon horſe bake and in caſtyng of darte / and in takyng of all paynes in warre And thus thy prayſe had a fall togyther with the cōmen welthe. I haue not take this wordes of the but alſo of all thy progeny / wherfore let vs ꝓcede to thoſe thynges that remayne. Therfore lyke as in other thynges the dylygēce of the mynde is more excellent than of the body / ſo theſe thynges that I ꝓcede vpō be more pleaſāt by wyt & reaſon than thoſe that be by ſtrength of body. Therfore the chefe cōmendacion cōmeth of temperaūce / ſeconde of loue with reuerēce ſhewed to our parentes / thyrde of beneuolēce ſhewed to our progeny & frēdes. Moſt euydēt yong men be knowen & in to the beſt faſſyon / whiche haue had recourſe to famous & wyſe men / well regardyng the commen welthe / with whome if they be ofte conuerſāt they bring ẏ people in ſuche opynion that they wyll be lyke to thē whome they haue choſē & pyked out for them ſelfe to folowe. The famyly of Publius Mucius dyd cōmende and enhaūce the youthe of Publius Rutilius, for the opinyon they had in hym bothe of his innocency / alſo knowlege of the lawe. Lucius Craſſus whan he was very yonge dyd not borowe of any other / but he wan to hym ſelfe ſynguler prayſe of that accuſacion layde to hym with nobylite & honour. In the which age ſuche as be ſo exercyſed they are wōt to wyn the ſpurr̄ by prayſe: as we haue herde of Demoſthenes. In the ſame age Lucius Craſſus

oſtēdit id ſe in foro optime iam præmeditatū facere, qui etiam tum poterat domi cum laude meditari. Sed cum duplex ſit ratio orationis, quarū in altera ſit ſermo, in altera cotentio, non eſt dubium, quin contentio orationis maiorem uim habeat ad gloriam. Ea eſt enim, quam eloquentiam dicimus. Sed tamen difficile dictu eſt, quantopere conciliet animos hominū, comitas affabilitaſq; ſermonis. Extant epiſtolæ & Philippi ad Alexandrū, & Antipatri ad Caſſandrū, & Antigoni ad Philippum trium prudentiſſimorū, ſic enim accepimus, quibus præcipiunt ut oratione benigna, multitudinis animos ad beneuolentiā alliciat, militeſq; blando adpellando ſermone deliniant. Quæ autem in multitudine cum contentione habetur oratio, ea ſæpe uniuerſam excitat gloriam. Magna eſt enim admiratio copioſe, ſapienterq; dicentis, quē qui audiunt, & intelligere etiam, & ſapere plus quam cæteros arbitrantur. Si uero ineſt in oratione mixta modeſtiæ grauitas, nil admirabilius fieri poteſt, eoq; magis ſi ea ſunt in adoleſcente. Sed cum ſint plurima cauſſarum genera, quæ eloquentiam deſyderant, multiq; in noſtra Republ. adoleſcentes, & apud iudices, & apud ſenatum dicendo, laudem adſecuti ſunt. Maxima etiam admiratio eſt in iudicijs, quorū ratio duplex eſt. Nam ex accuſatione, & defenſione cōſtat, quarū & ſi laudabilior eſt defenſio, tamē etiā accuſatio probata perſæpe eſt. Dixi paulo ante de Craſſo. Idē fecit adoleſcēs M. Antonius, etiam P. Sulpitij eloquentiam accuſatio illuſtrauit,

ſhewed that he in the courte dyd make an oracyon excellently / ſodaynly premedytate / whiche alſo he myght haue by ſtudy excogytate at home with prayſe. But for as moche as there be two cõſyderacions of oracyõ / wherof in the one is but cõmunycacyon / in the other contencyon and contrauerſy. There is no doute but the contencyon of an oracyon hath more vehemency to gette fame / but it is the thynge that we call eloquence / but not withſtandyng it is harde to ſay howe moche gentylneſſe and affabylyte of ſpeche allureth the myndes and hertes of men. There be epyſtels remaynynge both of Phylippus to Alexaunder / and of Antypater to Caſſander / and of Antigonus to Phylyppe / thre very prudent and wyſe men (ſo I haue herde ſaye (in the whiche they cõmaunde that in an oracyon gentyll / they ſhulde allure the myndes and hertes of a multytude to beneuolence / and to comforte men of warre & wordes louyng / callyng them by their names. That oracyon that is made amonge a multytude with contencyon / that ofte moueth and ſtyrreth fame vnyuerſall. For it is a great wonder of a man that ſpeaketh eloquently and wyſely / whome they that here iudge that he vnderſtandeth more and alſo is more wyſe than other be. If ſo be there be in this oracyon grauyte myxte with moderaũce nothyng may be done more merueylous / and in ſo moche the more if theſe thynges be in a yonge man. But where as there be very many kyndes of cauſes whiche requyre eloquence / many yonge men in our commenltye haue got both before the iudges and before the ſenate & parlyament great prayſe by oracyons made. The greateſt prayſe is in iudgement. Of the which oracions tow reaſons there be / for the one is of accuſacion the other of defence / wherof though the defence be more laudable / yet the accuſacyon is ofte tymes to be alowed. I ſpake a lytell before of Craſſus. The ſame beynge a yonge man dyd Antonius. Alſo accuſacyon dyd make famous the eloquence of Publius Sulpicius /

eum ſeditioſum & inutilem ciuem C. Norbanum in iudicium uocauit. Sed hoc quidem non eſt ſæpe faciendum, nec unquam niſi aut Reip. cauſſa, ut duo Luculli, aut patrocinio, ut nos pro Siculis, pro Sardis, pro M. Albutio Iulius Cæſar. In accuſando etiam Manilio L. Fuſij cognita induſtria eſt. Semel igitur, aut non ſæpe certe. Sin erit cui faciendũ ſit ſæpius, Reipub. tribuat hoc muneris, cuius inimicos ulciſci ſæpe nõ eſt reprehendendũ, modus tamen adſit. Duri enim hominis, uel potius uix hominis uidetur, periculũ capitis inferre multis. Id enim tum periculoſum ipſi eſt, tum etiam ſordidũ ad famam, cõmittere, ut accuſator nominetur. Quod contigit M. Bruto ſummo genere nato illius filio, qui iuris ciuilis in primis peritus fuit. Atq; etiam hoc præceptũ officij diligẽter tenendũ eſt, ne quem unquam innocẽtem in iudicio capitis accerſas. Id enim ſine ſcelere fieri nullo pacto poteſt. Nam quid eſt tam inhumanũ, quam eloquentiam à natura ad ſalutem hominum, & ad conſeruationem datam, ad bonorũ peſtem, perniciemq; conuertere? Nec tamẽ ut hoc fugiendũ eſt, ita habendũ eſt religioni contrarium, nocentem aliquando, et nefarium impiumq; defendere. Vult hoc multitudo, patitur cõſuetudo, fert etiam humanitas. Iudicis eſt ſemper in cauſſis uerum ſequi, patroni nonnunquam ueriſimile, etiam ſi minus ſit, uerum, defendere. Quod ſcribere, præſertim cum de Philoſophia ſcriberem, non audirem, niſi idem placeret grauiſſimo Stoicorum Panætio. Maxime autem & gloria paritur,

whan he called in to ſute of the lawe Caius Norbanus, a cytezyn ſedycious and vnprofytable: but this is not to be doone ofte nor at any tyme / excepte eyther in the cauſe of the common wealthe / or elles for tuycion/ as I dyd for Sicilianes and Sardinianes / for Marcus Albucius Ceſar. In accuſacyon alſo of Maulus the dylygence of Lucius Fuſius is knowne. But ones therfore, or elles not often of ſuretye. But yf it chaunce to anye that muſt do it often, lette that benefyte be gyuen to the commen wealthe, whoſe ennemyes to be reuenged vpon is not to be reproched / ſo that moderaunce be ioyned. It ſemeth the faſſyon of an harde hertedman/ and rather ſcantlye a man, to brynge manye in daunger of theyr lyfe, for this is bothe daunger to hym ſelfe / and alſo vylannye and blemyſſhe to his fame / ſo to offende that he ſhall be named a promoter. Whiche dyd chaunce to Marcus Brutus / borne of bloude royall / the ſonne of hym that was excellentlye lerned in lawe Ciuyle. And alſo this precepte of offyce is dylygently, to be kepte/that thou do not call at anye tyme an innocente perſone in to daunger of his lyfe / for that in no wyſe can be doone without myſcheuous conſcyence. For what is ſo farre agaynſte the nature of man as to retourne eloquence gyuen of nature to the healthe and preſeruacyon of men/ to the poyſon and diſtruction of men? Not withſtandynge as this ſhoulde be fledde, ſo the contrarye to the remorſe of conſcyence is to be hadde / that is to defende ſomtyme a wronge doer / and a wycked and a cruell man. Whiche I durſt not wryte (ſpecyally whan I wrote of phyloſophye) excepte that opynyon hadde pleaſed Panecius of the ſchole of Socrates. A man of greate grauytye and eſpecyallye glorye and fame,

& gratia defenſoribus, eoq; maior, ſi quando accidit, ut ei ſubueniatur, qui potentis alicuius opibus circumueniri urgeriq; uidetur, ut nos & ſæpe alias, & aduleſcentes contra L. Syllæ dominantis opes pro Sexto Roſcio Amerino fecimus, quæ (ut ſcis) extat oratio.

QVOMODO DEBEMVS VTI liberalitate ad captandum multitudinis beneuolentiam.

SEd expoſitis aduleſcentiũ officiis, quæ ualeant ad gloriam adipiſcendam, deinde de beneficentia, ac liberalitate dicendum eſt. Cuius eſt ratio duplex. Nam aut opera benigne fit indigentibus, aut pecunia. Facilior eſt hæc poſterior, locupleti præſertim. Sed illa lautior, ac ſplẽdidior, & uiro forti, claroq; dignior. Quanquã enim in utroq; ineſt gratificandi liberalis uoluntas, tamẽ altera ex arca, altera ex uirtute depromitur. Largitioq; quæ fit ex re familiari fontẽ ipſum benignitatis exhaurit. Ita benignitate benignitas tollitur. Qua quo in plures uſus ſis, eo minus in multos uti poſſis. At qui opera, uirtute, & induſtria benefici & liberales erunt, primũ quo pluribus profuerint, eo plures, ad benigne faciendum adiutores habebunt. Dein conſuetudine beneficẽtiæ paratiores erũt, & tanquam exercitatiores ad bene de multis promerendum. Præclare epiſtola quadam Alexandrum filium Philippus accuſat, quod largitione beneuolentiam Macedonum conſectetur. Quod te malum (inquit) rationis in iſtam ſpem induxit

his fauoure ſuffereth it in ſuche as defende / and in ſo moche the more if at any tyme it chaunce that he be ſuccoured that ſemeth to be trapped and oppreſſed with the rycheſſe of ſome man of great power / as I (and many tymes beſyde) alſo other yonge men haue done agaynſt Lucius Syllas rycheſſe and power whan he bare chefe rule / for Roſcius Amerinus cauſe / whiche oracyon (as thou knoweſt) yet remayneth.

¶ How we ſhulde vſe lyberalytye to allure the beneuolence of a multytude.

BUt the offyce of yonge men declared / whiche be of poſſybylite to gette fame / here after I muſte treate of bountyfulneſſe and lyberalyte / whoſe conſyderacyon is of two maners. For lyberalyte is ſhewed eyther by dylygence frely to ſuche that haue nede / or els by money. This ſeconde waye is more eaſy ſpecially to a ryche man / but the fyrſte is more pleſaunt and more famous / and better becometh a manly and a valyaunt man / for thoughe as in eyther is a lyberail wyl to do pleaſure / yet the one is brought out of the arke or cheſte / the other of vertue. The brybe and rewarde that iſſueth out of houſholde goodes conſumeth the fountayne of lyberalyte / and ſo one lyberalyte robbeth a nother / whiche lyberalyte the more thou doeſt vſe it, in ſo moche the leſſe thou maye vſe to many. But ſuche as wyll be bountyful and lyberall be loboure / vertue / and dylygence / fyrſte to the more that they do profyte vnto / in ſo moche they ſhal haue no helpers. Seconde they wyll be more redy to bountyfulneſſe by cuſtome and vſe, & as better practiſed to do moche for many. Philippus notably accuſeth Alexander his ſonne in epyſtle / bycauſe he folowed the beneuolence of the macedonyẽs by large gyftes. what cõſyderacyon (in yͤ dyuels way ſayd he) dyd enduce the to this hope

ut eos tibi ſideles putare fore ? quos pecunia corru
An tu id agis, ut Macedones nō te regē ſuum, ſed mi
& prebitorem putent? quo quid ſordidius regi. Me
etiam, quod largitionem corruptelam dixit eſſe. Fi
deterior qui accipit, atq; ad id idem ſemper expecta
paratior. Hoc ille filio, ſed preceptum putemus omni
Quamobrē id quidē non eſt dubiū, quin illa benignitas, q
conſtat ex opera, & induſtria, & honeſtior ſit, & la
pateat, & poßit prodeſſe pluribus, nonnūquam tamen
largiendū, nec hoc benignitatis genus omnino repudian
eſt, & ſape idoneis hominibus indigētibus de re fami
impartiendū, ſed diligenter, atq; moderate. Multi enim
trimonia effuderunt, inconſulte largiendo. Quid aute
ſtultius, quam quod libēter facias, curare, ut id diutiu
cere non poßis? atq; etiam ſequuntur largitionem ra
cum enim dando egere cœperunt, alienis bonis manu
ferre cogūtur. Ita cum beneuolentiæ comparādę cauſſ
nefici eſſe uelint, nō tanta ſtudia adſequūtur eorum, qui
dederunt, quanta odia eorū, quibus ademerunt. Qu
brem nec ita claudēda eſt res familiaris, ut eam benig
aperire non poßit, nec ita referenda, ut pateat omni
Modus adhibeatur, iſq; referatur ad facultates. O
meminiſſe debemus, id qđ a noſtris hominibus ſapißim
ſurpatū iamq; in prouerbij cōſuetudinem uenit. Largi
nē fundū non habere. Etenim quis poteſt eſſe modus, c
& hi, qui eū ſueuerunt, & illud idem alij deſyderent.

that thou woldeſt iudge them to be faſt to yͤ whome thou haddeſt corrupte with money. whether or no doeſt thou this that the macedonyens ſhall iudge the not to be their kynge/but their ſeruaunt and their briber? what thyng more villaynous may chaunce to a kynge? He had be better alſo that he had called that lyberalyte a corrupt brybery/for he is worſe that receyueth it/& is more redy alwayes to gape for the ſame. ¶Thus he wrote to his ſonne but lette vs iudge it as an inſtruction to all vs generally. wherfore there is no doute but that lyberalyte whiche ſtandeth in labour and dylygence is bothe more honeſt/and is publyſſhed more brode and maye profyte many mo. yet ſomtyme a mā muſt gyue largely, nor that kynde of lyberalyte is vtterly to be forſake/and we muſt oft departe to honeſt men that haue nede of our houſholde goodes/but with cyrcumſpection and moderately. Many haue waſted their patrymonye by giuyng vnaduyſedly. what is more folyſſhe than to go aboute that thou ſhalte not be able to do that thynge whiche thou doeſt with lyberall mynde? and alſo rauyne dothe folowe brybery. For whan men begynne to be nedy by gyuyng/they are compelled to lay hande one other mens goodes. And ſo whan they wyll to be benefyciall for the entent to get beneuolence/they allure not ſo many good myndes of them to whome they haue gyuen; but they get as many hatefull myndes of them that they haue taken it fro. wherfore hoſpytalyte is not ſo ſtraytely to be ſhytte that bountyfulneſſe maye not open the dore/nor ſo to be ſette open that it maye be free to all that cometh/but a meaſure muſte be had/and that muſte be modefyed after a mannes power/as he is able to mayntayne. we muſte vtterly and vpon all ſydes remembre this prouerbe vſed of our comaynes ofte tymes/and nowe is come in to dayly cuſtome: Prodygalyte hath no lyuelode/for what meaſure can be whan bothe theſe that haue vſed it and alſo other deſyre the ſame thynge.

DE LIBERALI, & prodigo.

OMnino duo genera ſunt largorũ, quorũ alteri
digi, alteri liberales. Prodigi, qui epulis, & uiſ
tionibus, & gladiatorũ muneribus, ludorũ, uenatio
adparatu pecunias profundũt in eas res, quarũ mem
aut breuem, aut nullam ſint relicturi omnino. Liberal
tem, qui ſuis facultatibus, aut captos à prædonibu
munt, aut æs alienũ ſuſcipiunt amicorũ cauſſa, aut in
rum collocatione adiuuant, aut opitulantur, uel in re
renda, uel augẽda. Itaq; miror quid in mentẽ uenerit
phraſto, in eo libro quem de diuitijs ſcripſit, in quo
præclare, illud abſurdũ de largitiõe ſcripſit. Eſt enim
tus in laudanda magnificẽtia, & adparatione popul
munerum, taliumq; ſumptuũ facultatẽ, fructũ diui
putat. Mihi autem ille fructus liberalitatis, cuius ex
pauca poſui, multo & maior uidetur, & certior. Q
Ariſtoteles grauius, & uerius nos reprehẽdit, qui h
fuſiones pecuniarũ non admiremur, quæ ſunt ad mul
dinẽ deliniendam. At hi, qui ab hoſtibus obſidẽtur, ſi
aquæ ſextarium mina cogerentur, hoc primo auditu
dibile nobis uideri, omnesq; mirari. Sed cum attẽder
ueniam neceſſitati dari, in his immanibus iacturis, inſi
ſumptibus, nihil nos magnopere mirari, cum præſert
neceſſitati ſubueniatur, nec dignitas augeatur. Ipſaq;
delinitio multitudinis, ad breue exiguũq; duratura ſit tẽp

¶ Of the lyberall man and prodygall.

There be two maner of large ſpenders / wherof the one be waſters prodygall / the other lyberall. Prodygall waſters be ſuche that waſte their money in kepynge of ſolempne bankettes / in dyſtrybucion of fleſſhe meates / of olde ryte / and in rewarde of ſuche as fyght for lyfe and dethe / and in ſhewynge of playes and huntynges. Upon ſuche thynges wherof they ſhall leaue a ſhorte or els no memorye. Lyberall men be they that redeme with their goodes eyther ſuche as be taken by theues / or els ſuche as that taken in credyte money borowed of other for their frendes ſake / or that helpeth in the maryage of their doughters or ſocoure them / eyther gettynge them goodes or in encreaſynge. Therfore I meruayle what fyll in Theophraſtus mynde in that booke whiche he wrote of rycheſſe / wherin he wrote many thinges full nobly / but this is not laudable whiche he wrote of waſtfull gyuynge. For he is very curyous in prayſyng the gorgeſſe ſettyng out and the arraye of ſpectacles and playes ſhewed to the people / and he counteth the expenſes of ſuche ſumptuous coſtes as a fruyte and encreaſe of rycheſſe. Me ſemeth that that fruyte and prayſe of lyberalyte wherof a fewe enſamples I haue ſhewed / is more laudable and more ſure. Howe moche more erneſtly and truly dothe Aryſtotle rebuke vs that prayſe ſuche lawes of expence / whiche be done to the entent to pleaſe a multytude. But theſe that be beſyeged or obceſſed of their enemyes / if they be compelled to bye a ceſterne of water for a pounde / this ſemeth to vs at the fyrſt heryng as incredyble / & all men meruayle therat: but whan they haue conſydred it well / that nede muſt be pardoned. In theſe outragious domages & infinyte expẽſes we haue no great meruayle / ſpecially whã neyther neceſſyte is holpe therby / nor dignyte & honour encreaſed. This ſame pleaſyng of a multitude but for a brefe & ſhort tyme that dure,

eaq; à leuiſsimo quoq; animo, in quo tamen ipſo una cum ſa-
cietate memoria quoq; moriatur uoluptatis. Bene etiam col-
gitur, hæc pueris & mulierculis, & ſeruis, & ſeruorum ſi-
millimis liberis eſſe grata. Graui uero homini, & ea quæ fi-
unt iudicio certo ponderanti, probari poſſe nullo modo.

DE AEDILITIIS
muneribus.

QVanquam intelligo in noſtra ciuitate inueteraſſe iam bonis temporibus, ut ſplendor ædilitatum ab optimis uiris poſtuletur. Ita & P. Craſſus cum cognomine diues, tum copijs, functus eſt ædilitio maximo munere. Et paulo poſt L. Craſ. cum omniū hominū moderatiſsimo Q. Mutio magnificentiſsima ædilitate functus eſt. Deinde C. Claudius Appij filius. Multi poſt, Lucullus, Hortenſius, Syllanus. Omneis autē P. Lētulus, me cōſule, uicit ſuperiores. Hunc etiā Scaurus imitatus. Magnificētiſsima uero noſtri Pompei munera ſecūdo conſulatu, in quibus omnibus, quid mihi placeat uides. Vitanda tamen ſuſpitio auaritiæ. Nam Mauerco homini ditiſsimo, prætermiſsio ædilitatis, cōſulatus repulſā attulit. Quare & ſi poſtulatur à populo (bonis uiris ſi non deſiderantibus, attamen adprobantibus) faciendū eſt, modo ꝓ facultatibus, nos ipſi ut fecimus. Et ſi quādo aliqua res maior, aut utilior populari largitiōe acquiritur, ut Oreſti nuper prandia in ſemitis decimæ noīe magno honori fuerūt. Ne marco qdē Seio uitio datum eſt,

and the memory of ſuche pleaſure fro euery lyght mynde in the whiche mynde yet it remayneth/ may dye with the [illegible] and tedyouſneſſe of the ſame pleaſure. It is alſo [illegible] gathered and knowen that ſuche ſpectacles pleaſaunt to chyldren and women/ and to ſeruauntes, and to ſome freemen very lyke to ſeruauntes. But of a man of grauyte/ and that wayeth thĩges that be done by ryght iudgement/ they can not in no wyſe be prayſed.

¶ Of the large gyftes and lyberalytes ſhewed in the roume of the Aediles.

Though I vnderſtande in our cyte of Rome that it is growne out of vſe nowe a good ſeaſon/ that the ſumptuous ſhew of ſpectacles of the edyles is deſyred of ſuch as be very honeſt and worſhypfull. And ſo Publius Craſſus a ryche man bothe in name and alſo ſubſtaunce/ bare the roume of the edyle with very great pompe and ſumptuous charge. And a lytle after Lucius Craſſus occupyed the roume of the edylite ⁊ moſte gorgeſſe ſhewe [illegible] his felowe Quintus Mucius/ of all mē in the worlde man very moderate ⁊ ſobre. And ſo after Caius Claudius/ ſonne vnto Appius/ and many after that Lucullus Hortenſius Syllanus. And Publius Lentulus excelled all before his tyme/ I beig cōſull: alſo Scaurus folowed hym. The bountyfull gyftes ⁊ ſhewes of my frende Pompeius was very honorable ⁊ gorgeſſe/ i his dygnyte whā he was ſecōde tyme cōſull. In the which thynges al ⁊ ſyngles what pleaſed me thou weſt ꝑceyue / notwithſtādyng the ſuſpeciō of auaryce is to be auoyded. For to Mamercus a mā of ryche ſubſtaūce/ the puttig by of the roume of the edylite cauſed hym to haue repulſyon fro the dignite of a conſull. wherfore if this bountyfulnes be deſyred of the people/ if good ⁊ honeſt mē deſyre it not / notwithſtādyng alowe it/ it is to be done/ ſo that a man be able for his ſubſtaūce/ as I myſelfe dyd. And if ſo be at any tyme any thing greater be got ⁊ of more ꝓfite by reaſō of any lyberalite ſhewed to the people: as the feeſt lately of Oreſtes made in the hye way vnder the name of a deme or a tythe/ was honour to hym. Nor Marcus Seius was not reproched

quod in charitate annonæ eſſe modium populo dedit. Magna enĩ ſe & inueterata inuidia, nec turpi iactura, quando erat ædilis, nec maxima liberauit. Sed honori ſũmo nuper noſtro Miloni fuit, qd gladiatoribus emptis, Reip. cauſſa, quæ ſalute noſtra cõtinebatur, oẽs Publij Clodij conatu fureſq; compreſſit. Cauſſa igitur largitionis eſt, ſi aut neceſſe eſt, aut utile. In his autem ipſis mediocritatis regula optima eſt, L. quidem Philippus Quinti Fabij filius uir magno ingenio, in primiſq; clarus, gloriari ſolebat, ſe ſine ullo munere adeptum eſſe omnia, quæ haberentur ampliſſima. Dicebat idem Cotta Curio, nobis quoq; licet in hoc quodammodo gloriari. Nam pro amplitudine honorum, quos cũctis ſuffragijs adepti ſumus noſtro quidẽ anno, qd contigit eorum nemini, quos modo nominaui, ſane exiguus ſumptus ædilitatis fuit. Atq; etiam illæ impenſæ meliores ſũt, muri, naualia, portus, aquarũ ductus, omniaq; quæ ad uſum Reipub. pertinẽt. Quanquam quod præſens tanqu in manu datur, iucũdius eſt, tamen hæc in poſterũ gratiora ſunt theatra, porticus, noua templa. Verecundius reprehendo propter Pompeium, ſed doctiſſimi non probant, ut & hic ipſe Panætius, quem multũ in his libris ſecutus ſum, non interpretatus, & Phaleræus Demetrius, qui Periclem principem Græcie uituperabat, quod tantam pecuniam in præclara illa propylæa proiecit. Sed de hoc genere toto i his libris, quos de Repub. ſcripſi, diligenter eſt diſputatũ. Tota igitur ratio talium largitionum, genere uitioſa eſt,

bycauſe in the derthe of the corne he ſolde a buſſhell for a pounde of braſſe valure of four pens for he delyuered hym ſelfe bothe fro the olde malyce and enuye / with no loſſe of reproche (whan he was ydell) nor very great loſſe. But it was great honoure to Mylo my frende bycauſe with men of fence hyred bycauſe of the cōmen welthe (which welthe was conteyned in my helthe and lyfe) dyd ſuppreſſe the purpoſe and madneſſe of Publius Clodius. Therfore if the cauſe of large gyftes eyther be neceſſary or profytable / in theſe ſame two thynges the rule of temperaunce and moderaunce is beſt. Lucius Philippus the ſonne of Quintus Fabius / a man of great wytte and a ſynguler famous man / was wōt to reioyſe hymſelfe that he without any gyfte had optayned all thyng that he reputed honorable. Cotta Curio ſayd yͤ ſame. Alſo I may in this behalfe in a maner reioyce my ſelfe / for as touchyng aduauncemēt of honours that I haue had by the aſſente of all men in that yere that I bare roume / that chaunced to none of them whome I ſpake of late / ſurely my charges in my edylite was but ſmall / and alſo theſe expenſes be better beſtowed / as walles / nauyes / hauens, condytes or ſcluſes / whiche all pertayne to the vſe of the cōmen welthe. And though that a thynge that is nowe gyue preſent as in hande is more pleſaūt / yet theſe thynges ſhalbe more pleſaunt with profyte here after. I fynde the leſſe faute (for Pompeius ſake) at ſtage places made for ſpectacles & playes / places or yles to walke in at parues / newe temples. But wyſe men do not alowe them / as bothe this ſame Pancetius whom I haue moche folowed in this booke / and not as an interpreter / and Phalerius Demetrius whiche rebuked Pericles a prince of grece / bycauſe he caſte away ſo moch money vpon the gorgeſſe porches by hym edifyed. But I hauſe dyligētly diſputed of this maner of thynges in the bookes that I wrote of the cōmen welthe called Republica. Therfore the conſyderacyon of ſuche large gyftes in his nature is vycious /

temporibus neceſſaria, & tamẽ ipſa ad facultates accommodanda, & mediocritate moderanda eſt.

ALTERVM GENVS LARGIendi, quod à liberalitate proficiſcitur.

IN illo autẽ altero genere largiẽdi, quod à liberalitate proficiſcitur, nõ uno modo in diſparibus cauſsis affecti eſſe debemus. Alia cauſſa eſt eius qui calamitate premitur, & eius qui res meliores quærit, nullis ſuis rebus aduerſis. Propẽſior benignitatis eſſe debebit in calamitoſos, niſi forte erũt digni calamitate. In his tamẽ qui ſe adiuuari uolent, nõ ut ne affligantur, ſed ut altiorẽ gradũ aſcẽdãt, reſtricti nullo modo eſſe debemus, ſed in deligendis idoneis, iudiciũ, & diligentiam adhibere. Nam præclare Ennius, Benefacta, male locata, malefacta arbitror. Quod autem tributum eſt bono uiro, & grato in eo cum ex ipſo fructus eſt, tũ etiã ex cæteris. Temeritate enim remota, gratiſsima eſt liberalitatis, eoq; eam ſtudioſius pleriq; laudant, q̃d ſummi cuiuſq; bonitas cõmune perfugiũ eſt omniũ. Danda igitur opera eſt, ut his beneficiis quam plurimos afficiamus, quorũ liberis, poſteriſq; prodatur memoria, ut his ingratis eſſe nõ liceat. Omnes enim immemores beneficij oderũt, eãq; iniuriam in deterenda liberalitate ſibi etiã fieri, eumq; qui facit, cõmunem hoſtem tenuiorũ putãt. At hæc benignitas etiam Reip. utilis eſt, redimi è ſeruitute captos, locupletari tenuiores, quod quidem uulgo ſolitum fieri ab ordine noſtro, in oratione Craſsi ſcriptum copioſe uidemus.

and at tymes neceſſary / and not withſtandinge it muſte be aplyed after a mans power and ſubſtaunce/and meaſure with temperaunce.

¶ An other maner of gyuynge that cōmeth of lyberalyte/and howe priuate lyberalyte ſhulde be applyed & to whome/and how moche.

IN this other maner of large gyuyng that cōmeth of lyberalytye we muſt be diſpoſed not after one maner/in cauſes vnlyke. ¶ There is one cauſe of hym that is oppreſſed with calamyte and heauyneſſe / and a nother cauſe of hym that ſeketh for better fortune and rycheſſe nothyng of his goyng backwarde. ¶ The larger lyberalyte ſhulde be ſhewed towarde them that be i calamytie and pouertie/except parauenture they be worthy that aduerſyte. In ſuche notwithſtandyng that wolde them ſelfe to be holpe and ſocoured/ not for the entent that they maye not be troubled/but that they may aſcende to hygher degre/we may in no wyſe be ſtrayte braſed/but gyue ryght iudgemente and dylygence in ſerchynge out ſuche as be mete and worthy. For as Ennius ful notably writeth/ I iudge benefytes yuell beſtowed as malefactes and yuell dedes. But that whiche is beſtowed vpon a good and a kynde mā/bothe profyte of that dede iſſueth to hym/alſo to other. For folyſſhneſſe ſet a parte / lyberalyte is very pleſaunt/and al men cōmenly prayſe it more bycauſe the bountyfulneſſe of euery good man is a cōmen refuge of al mē. Therfore we muſt take hede & endeuoyre vs that we may allure by benefytes very many/to whoſe chyldren & ſucceſſion it may be had in memory/ſo that they may not be vnkynde & nygarde. For all mē hate ſuche that forget a benefyte/ and iudge the ſame iniury doone to them in loſyng their lyberalyte/& they iudge hym that ſo dothe a cōmen enemy & traytour to poore men. And this lyberalyte is alſo profytable to the cōmē welthe /that captyues ſhall be raunſomed / and poore men enryched / whiche we ſe commenly wonte to be doone of our ordre and degre / in the oracyon of Craſſus wryten eloquently.

Hanc ergo conſuetudinem benignitatis largitioni munerum ante pono. Hæc eſt grauium hominum, atque magnorum illa quaſi aſſentatorum populi, multitudinis leuitatem, & uoluptatem, quaſi titulantium. Conuenit autem tum in dando munificum eſſe, tum in exigendo non acerbum. In omniq; re contrahenda, uendendo, emendo, conducendo, locando, in uicinitatibus, & confinijs æquum, & facilem, multa multis de iure ſuo concedentem. A litibus uero quantum liceat, & neſcio an paulo plus etiam quam liceat abhorrentem. Eſt enim non modo liberale, paulum nonnunquam de iure ſuo decedere, ſed interdum etiam fructuoſu. Habenda autem eſt ratio rei familiaris quam quidem delabi ſinere flagitioſum eſt, ſed ita ut liberalitatis, auaritiæq; abſit ſuſpitio. Poſſe enim liberalitate uti, non ſpoliantem ſe patrimonio, nimirum eſt pecuniæ fructus maximus. Recte etiam à Theophraſto eſt laudata hoſpitalitas. Eſt enim (ut mihi uidetur) ualde decorum, patere domos hominũ illuſtrium illuſtribus hoſpitibus. Idq; etiam Reipu. eſt ornamento, homines externos hoc liberalitatis genere in urbe noſtra non egere. Eſt etiam uehementer utile his, q honeſte poſſe multa uolunt, per hoſpites apud externos populos ualere opibus, & gratia. Theophraſtus ſcribit quidem Cimonem Athenis, etiam ſuos curiales Laciadas, hoſpitalem fuiſſe. Ita enim dicitur inſtituiſſe, & uillicis imperauiſſe, ut omnia præberẽtur quicunq; Laciades in uillam ſuam aduertiſſet.

Therfore I preferre this cuſtome of lyberalytye before the large gyuynge of gyftes. ¶This lyberalytye is appropried to men of grauytye and greate power. ¶The other large laueſſe is appropried as to flatterers of the commen people/ and that tyckle and ſtyrre the lyght myndes and pleaſures of a multitude. It is conuenyent to be lyberall in gyuynge/ alſo not to be rough in aſkyng. And in euery matter of bargaynynge/ as in ſellynge/ byinge/ ſettyng or lettynge to ferme or to hyre/ in neyghbourhode/ in bourdynge togyther a man to ſhewe hym ſelfe egall and gentyll/ and gyuynge to many of his owne right/ and abhorrynge fro trauers as farre as he maye/ and I can not tell whether a lytell more than he may. For it is not only a poynt of lyberalitie a man ſomtyme to forgo ſomwhat of his ryght/ but alſo ſomtyme profytable. Alſo a cōſyderacyon of his houſholde ſomtyme is to be had/ whiche to ſuffre to decay is diſhoneſtye. But ſo that ſuſpycyō of nygardneſſe & auaryce be auoyded/ to be of power to vſe lyberalytie/ not ſpoylynge hym ſelfe of his patrymonye or lyuelode/ no maruayle is mooſt increaſe of money. Alſo hoſpytalytye is of ryght prayſed of Theophraſtus/ for it is (as we thynketh) very comlye that the houſes of honorable men ſhal be kept open to honorable ſtraungers/ and it is an ornamente to the commentie that ſtraungers do not lacke this maner of lyberalytie in our cytie of Rome. It is alſo verye profytable to them that be wyllynge to be of power to do moche, to be of a great eſtymacyō with ſtraungers by ayde and fauoure. ¶Theophraſtus wryteth that one called Cimo in Athenes was alſo a lyberall vyander to his frendes/ beynge in his courte called the Lacyades. For it is ſayd that he ſette ſuche an order and gaue ſuche a cōmaundement to all offycers in his houſe/ that all thynges ſhoulde be prepared for whome ſo euer of the Lacyades dyd reſorte vnto his manoure place.

ALTERVM GENVS LIBEralitatis, quod opera præſtatur.

QVæ autem opera non largitione, beneficia dātur, hæc tum in uniuerſam Rēpub. tum in ſingulos ciues conferuntur. Nam in iure cauere, conſilio iuuare, atq; hoc ſcientiæ genere prodeſſe quam plurimis uehemēter & ad opes augēdas pertinet, & ad gratiam. Itaq; cū multa præclara maiorū, tum quam optime conſtituti iuris ciuilis ſummo ſemper in honore fuit cognitio, atq; interpretatio, quam quidē ante hanc confuſionem temporū in poſſeßione ſua principes retinuerunt. Nunc ut honores, ut omnis dignitatis gradus, ſic huius ſcientiæ ſplendor deletus eſt. Idq; eo indignius quod eo tēpore hoc contigit, cum is eſſet qui omnes ſuperiores, quibus honore par eſſet, ſcientia facile uiciſſet. Hæc igitur opera grata multis, & ad beneficijs aſtringēdos hoīes accōmodata. Atq; huic arti finitima eſt dicēdi grauior facultas, & gratior & ornatior. Quid enim eloquētia laudabilius & præſtabilius, uel admiratione audientiū, uel ſpe indigentiū, uel eorū qui defenſi ſūt gratia? Huic quoq; ergo à maioribus noſtris eſt in toga dignitate principatus datus. Diſerti igitur hominis, & facile laborātis, quodq; in patrijs eſt moribus, multorū cauſas, & non grauate, ſed gratuito defendētis, beneficia & patrocinia late patēt. Admonebat me res, ut hoc quoq; loco intermißionem eloquentiæ, ne dicam interitum, deplorarem, ni uererer, ne de me ipſo aliquid uiderer queri.

¶ An other maner of lyberalyte that is ſhewed in dylygence ⁊ labour taken/alſo that they knowlege of the lawe maye do moche/ but eloquence moche more.

THe benefytes that be gyuen by dylygence and labour taken; and not by large gyftes / thoſe be beſtowed bothe to the commen welthe vnyuerſall / alſo to euery cytezyn partyculer. For by the lawe to auoyde iniuryes/to helpe other by counſayle / and to profyte very many by this maner of ſcyēce/it pertayneth bothe to the great encreaſe of rycheſſe and to optayne fauour. ¶ Therfore where as many noble actes of our elders / alſo the knowlege ⁊ interpretacyon of the lawe/whiche the chefe heddes before this confuſyon and trouble of tyme kepte in their poſſeſſyon /nowe lyke as honours lyke as all degre of authorite / ſo of this ſcyence the ſame is extyncte and forlorne/and that in ſo moche more heynous bycauſe in the ſame tyme this thyng chaūſed / whā he was which dyd lyghtly excell in knowlege all before his tyme / to whome he was felowe in honour. ¶ Therfore this dylygēce is pleſaūt with profyte to many/and mete to bynde men to men ſure by benefytes:and to this dylygence is nyghe neyghbour the crafte of eloquence and of more grauyte/ more pleſaunt/ and more facundyous. For what is more laudable than eloquence/more excellent / bothe with the prayſe of the herers /alſo with the hope of ſuche as nede therof/or els bycauſe of them that be defended. ¶ Therfore for that cauſe alſo princypalyte was gyue by our elders with hole dygnyte. ¶ Therfore the benefytes ⁊ tuycyō of a man lyghtly takyng payne/⁊ that which is laudable after the maners of that cōtrey/ which defēdeth the cauſes of many/not grudgynge/but with good wyl be manyfeſtly ſpred/wyde/⁊ brode. ¶ There is a thyng that monyſſheth me that in this place I ſhuld lamēt the diſcōtynuaūce I wyll not ſay the diſtruction of eloquēce / ſo that I ſhulde feare leſt I ſhulde ſeme to cōplayne for myne owne parte

Sed tamen uidemus, quibus extinctis oratoribus, quāta in paucis ſpes, quāto in paucioribus facultas, quam in multis ſit audacia. Cum aūt omnes non poſſint, ne multi quidem, aut iuriſperiti eſſe, aut diſerti; licet tamen opera prodeſſe multis, beneficia petentem, commendantem iudicibus, & magiſtratibus, uigilantem pro re alterius, eos ipſoſq; qui aut conſulunt, aut defendunt rogantem, quod qui faciunt, plurimum gratiæ conſequuntur, latiſſimeq; eorum manat induſtria. Iam illud non ſunt admonendi, eſt enim in promptu, ut animaduertant, cum alios iuuare uelint, ne quos offendant. Sæpe enim aut eos lædunt quos non debent, aut eos quos non expedit, ſi imprudentes negligentiæ eſt, ſi ſcientes, te meritatis. Vtendum etiam eſt excuſatione aduerſus eos, quos inuitos offendas, quacunq; poſſis, quare id, quod feceris neceſſe fuerit, nec aliter facere potueris. Certiſque operis, & officijs erit, quod uiolatum eſt, compenſandum.

IN OFFICIO PRÆSTANdo uir bonus, locupleti præferendus eſt.

SEd cum in hominibus iuuandis, aut mores ſpectari, aut fortuna ſoleat, dictu quidem eſt procliue. Itaq; uulgo loquuntur, ſeſe in beneficijs collocandis mores hominum, non fortunam ſequi. Honeſta oratio eſt. Sed quis eſt tandem, qui inopis, & optimi uiri cauſſæ non anteponat in opera danda, gratiam fortunati & potentis

But not withſtādyng we ſe what oratours extyncte and decayed/in howe fewe of them hope remayneth/ in how many leſſe ſubſtaunce and rycheſſe/and in howe many is madde hardyneſſe. And for as moche as all men can not (no ne many) be eyther expert in the lawe or diſcrete mē, not withſtādyng they may helpe many by their dyligēce. And it is laufull for a man that aſketh benefytes/or that maketh meanes to the iudges or offycers for an other man/or that layeth dyligent watche in an other mannes cauſe/or he that entreateth thē that eyther gyue coūſayle or defends to profyte may by his dylygence and labour and ſute. whiche thyng they that do/ get to thē ſelfe very moche thanke / and their dylygence iſſueth forthe wyde and brode. Nowe they are not to be inſtruct of this thīg (for it is manyfeſt) where ꝥ they wolde helpe other leeſt they hurte any men. For often they hurte ſuche whome they ſhulde not/or els ſuch as it is not neceſſary to helpe: if they do this vnaduyſed it is neglygence, if they do it wetyngly it is madhardyneſſe. ¶ Thou muſt alſo vſe an excuſe agayne ſuche as thou offendeſt agayne thy wyl/by ſuche meanes as thou can / wherfore thou coulde do no otherwyſe in that thynge that thon dyd. And we muſt recompence and make amendes to certayne dylygence and offyces of that thynge that was ouerſlypped.

¶ In ſhewynge our offyce and dutye / an honeſt man is to be preferred before a ryche man/and that it ought not be ſhewed to any man without iuſt cauſe.

But where as in helpyng of men/eyther maners are wōt to be cōſydred/or els their ſubſtaūce ⁊ fortune. It is a redy ſayeng in euery mouthe/⁊ cōmenly ſaid/that mē regarde in beſtowyng their benefytes the maners of men/and not their fortune. An honeſt ſayeng. But who is he to conclude/that wyll not prefer in his dylygence exhybet the fauour of a ryche man and a great man before the cauſe of a poore man/thoughe he be neuer ſo honeſt.

A quo enim expeditior & celerior remuneratio fore uidetur, in eum ferè eſt uoluntas noſtra propenſior. Sed animaduertendum eſt diligentius, quæ natura rerū ſit. Nimirum enim inops ille, ſi bonus eſt uir, etiam ſi referre gratiam nō poteſt, habere certe poteſt. Commode autem quicunq; dixit pecuniam qui habeat, non reddidiſſe, & qui reddiderit, non habere. Gratiam autem & qui reddiderit habere, & qui habeat retuliße. At qui ſe locupletes, honoratos, beatos putant, hi ne obligari quidem beneficio uolunt, quin etiam beneficium ſe dediſſe arbitrantur, cum ipſi, quamuis aliquid magnū acciperint, neque etiam à ſe aut poſtulari, aut expectari aliquid ſuſpicantur. Patrocinio uero ſe uſos, aut clientes appellari mortis inſtar putant. At uero ille tenuis, cum quid factum ſit, ſeſe ſpectatū, non fortunam putat, non modo illi, qui eſt meritus, ſed etiā illis, à quibus expectat (eget enim multis) gratū ſe uideri ſtudet. Neq; enim uerbis auget ſuum munus, ſi quo forte fungitur, ſed extenuat. Videndumq; illud idem quod ſi opulentum fortunatumq; defenderis, in illo uno, aut in liberis eius manet gratia. Sin autem inopem, probum tamen & modeſtū, omnes non improbi humiles (quæ magna in populo multitudo eſt) præſidium ſibi paratum uident. Quamobrem melius apud bonos, quam apud fortunatos beneficium collocari puto. Danda omnino opera eſt, ut omni generi ſatis facere poßimus. Sed ſi res in cōtentionem ueniet, nimirum Themiſtocles eſt author adhibendus, qui cum conſuleretur,

thoſe of whome a quycker and a ſpedyer recompence is loked to come/our wyll & mynde is comenly more bountyfull bende towardes hym. But we muſt regarde more dilygently what the nature of thynges is. No meruayle/ for if a poore man be honeſt thoughe he be not able to recompence/yet he may ſay grant mercyes. He ſaythe well who ſo euer ſaythe that he hath not reſtored the money that he had by borowyng, alſo he that ſaythe that he hath not the money that he ſhulde reſtore/and alſo he that gyueth thankes for the money that he hath borowed. But thoſe ryche men that iudge them ſelfe honorable & fortunable/they wyll not be bounde by any benefyte done to them/whiche alſo thynke that they haue gyue a benefyte whan they them ſelfe haue take any thyng/though it be a great benefyte/and they thynke that no thanke ſhulde be aſked of them/or loked for of other. They thynke it a thynge lyke vnto dethe that they ſhulde nede to vſe the defence of other/or that they ſhulde be called clyētes. But the poore man whan any thyng is done/he iudgeth that he is regarded/& not his myſerable fortune. He ſtudyeth that he maye be ſene ſeruyſable not alonely to hym that hath doone for hym/but alſo to them of whome he hath truſt of ayde and ſuccour/for he hath nede of many:nor he dothe not magnyfye with crackes & boſtes his roume if he haue any/but he doth make it poore. And this is by reſpect/that if ſo be thou defēde a ryche man & a welthy. in hym onely or in his poſteryte remayneth the thanke. But if ſo be thou defende a poore man/not withſtandyng honeſt & moderate or ſobre/all men honeſt/humble/and lowly(whiche is a great multyde in the cōmen people)ſe that an ayde and a ſocour is redy for them. Wherfore I thynke a benefyte better beſtowed to an honeſt poore man than to a ryche. We muſte do our deuoyre that we maye ſatyſfye all maner of men/but if the mater come to diſputacyon Themyſtocles no meruayle is an authoure to be choſen/whiche whan he was demaunded/

utrum bono uiro pauperi, aut minus probato diuiti, filiam collocaret. Ego, inquit, malo uirum qui pecunia egeat, q̃ pecuniam, quæ uiro. Sed corrupti mores, deprauatiq; ſunt admiratione diuitiarum, quarũ magnitudo quid ad unumquenq; noſtrum pertinet, illum fortaſſe adiuuat qui habet, ne id quidem ſemper. Sed fac iuuare, potentior ſanè ſit, honeſtior uero quomodo? Quod ſi etiam bonus erit uir, ne impediant diuitiæ, quo minus iuuetur modo ne adiuuent, ſitq; omne iudicium non quam locuples, ſed qualis quiſq; ſit. Extremum autem præceptum in beneficijs, operaq; danda eſt, ne quid contra æquitatem cõtendas, ne quid pro iniuria. Fundamentum enim perpetuæ cõmendationis & famæ, eſt iuſtitia, ſine qua nihil poteſt eſſe laudabile.

BENEFICIA, QVAE AD uniuerſos pertinent.

SEd quoniam de eo genere beneficiorũ dictum eſt, quæ ad ſingulos ſpectant, deinceps de his, quæ ad uniuerſos, quæq; ad Rempub. pertinent, diſputandum eſt. Eorum autem ipſorum partim eiuſmodi ſunt, ut ad uniuerſos ciues pertineant, partim ſingulos ut attingãt, quæ ſunt etiam gratiora. Danda eſt opera omnino, ſi poſſit utriſq;, nec minus, ut etiam ſingulis conſulatur. Sed ita, ut ea res aut proſit, aut certe ne obſit Reipub. C. Helij, & P. Gracchi frumẽtaria magna largitio fuit, exhauriebat igitur ærariũ,

whether he wolde mary his doughter to a good honeſt poore man/or els to a ryche mã not honeſt. He ſayd I had rather haue a man that hath nede of money/than money that hath nede of a man to ordre it well. But corrupt maners/and depraued & made euyll by reaſon of prayſynge of rycheſſe/whoſe haboundaunce what doth it pertayne to euery one of vs? Peraduenture it helpeth hym that hath it/and yet not at all tymes. But admyt that it helpeth hym/he may well be of more power/but howe may he be more honeſt? But if he be an honeſt man rycheſſe cã not let hym but he may be holpen/ſo that they helpe hym not. And let all the iudgement be not howe ryche he may be/but what maner of mã he may be. ¶The laſt precept is of beſtowyng of benefytes and dylygence/that thou ſhalt not contende any thynge agayne iuſtyce and equyte/nor any thynge for wronge. For the grounde of contynuall comendacyon and fame is iuſtyce/without the which no thynge can be laudable.

¶Benefytes that pertayne vnyuerſall to all men/ and howe they ſhulde be myniſtred moderatly amonge an vnyuerſall multytude: and howe that exactions ſhulde not be vſed except in a iuſt neceſſyte.

BUt for as moche as it is ſayd of that maner of benefytes that belongeth to al pertyculer mẽ/here after I muſt diſpute of ſuche that pertayne to all man vnyuerſall, and to the cõmen welthe. Parte of them be of this maner that they pertayne to al citezyns vniuerſal/parte do concerne euery partyculer man/whiche alſo be more pleſaũt & profytable. Dyligẽce muſt be gyue in any wyſe if it may be to bothe partes/nor ſo þ leſſe regarde ſhalbe gyue to euery man partyculer/but ſo that the mater may eyther profyte or els not hurte the commen welthe. The large gyft of corne by Caius Helius and Publyus Graccus was great/therfore it waſted the cõmen treaſure.

modica M. Octauij & Reipub. tollerabilis, & plebi neceſſaria, ergo & ciuibus, & Reipub. ſalutaris. In primis autem uidendum erit ei qui Rempub. adminiſtrabit, ut ſuum quiſq; teneat, neq; de bonis priuatorum publice diminutio fiat. Pernitioſe enim Philippus in tribunatu cum legem agrariam ferret, quam tamē antiquari facile paſſus eſt, & in eo uehementer ſe moderatum præbuit, ſed cum in agendo multa populariter, tum illud male dixit, non eſſe in ciuitate duo millia hominum qui rem haberent. Capitalis oratio eſt, ad æquitationem bonorum partinens, qua peſte quæ poteſt eſſe maior? hanc enim ob cauſſam maxime ut ſua tuerentur, Reſpub. ciuitateſq; conſtitutæ ſunt. Nam & ſi duce natura congregabantur homines, tamen ſpe cuſtodiæ rerum ſuarum, urbium præſidia quærebant. Danda etiam opera eſt, ne (quod apud maiores noſtros ſæpe fiebat) propter ærarij tenuitatem, aſsiduetatemq; bellorumq;, tributum ſit conferendum. Idq; ne eueniat, multo ante erit prouidendum. Sin qua neceſsitas huius muneris alicui Reipubl. obuenerit (malo enim alteri, quam noſtræ ominari, neq; tantum de noſtra, ſed de omni Republ. diſputo) danda erit opera, ut omnes intelligant (ſi ſalui eſſe uelint) neceſsitati eſſe parendum. Atq; etiam omnes, qui Rempub. gubernabunt conſulere debebunt ut earum rerum copia ſit, quæ ſunt neceſſariæ. Quarū qualis apparatio fieri ſoleat & debeat, non eſt neceſſe diſputare. Eſt enim in promptu. Tantum locus attingendus fuit.

The lyberalyte of Marcus Octauius was moderate & tollerable to the cōmen welthe/ & neceſſary to the people: therfore bothe to the cytezyns it was holſom / and alſo to the cōmen welthe. In eſpecyall he that ruleth a comenalty muſt take hede that euery man may kepe his owne nor dyminiſſyon maye not be made of priuate mennes goodes openlye. For whan Phylyp miſcheuouſly in his roume beynge Trybune or knyght for the ſhyre / made a lawe called Lex agraria/ which not withſtandynge he ſuffred eaſyly to be abrogate and daſſhed. In that thyng he ſhewed hym ſelfe very moderate. But where as i his oracion he ſpake many thynges after a gentyl faſſyon/ to allure the fauour of the people / that one thynge he ſpake euyll/ that there was not two thouſande men in the cyte that had the ſubſtaūce of goodes as they were eſtemed to haue. It is an odyous & an heynous oracion pertaynyng to the comparyſon of honeſt men/ than the which poyſon what maye be more odyous. For this conſyderacyon ſpecially cōmentyes and cyties were ordayned / for all be it that by the inſtynction of nature men were accompanyed togyther / not withſtandynge for truſte of ſauegarde they ſought the tuicyon of cytes. Alſo we muſte take hede that no trybute be exacte whiche of our elders was done ofte tymes/ by reaſon of waſte of the commen treaſure/ and contynuaunce of warre. And that this do not chaūce prouyſyon muſte be had longe before. But if ſo be any nede of this trybute chaunce to any cōmenty (for I had leuer wyſſhe it an other cōmenty than to our cōmenty/ nor onely I diſpute of our cōmentye but of euery commenty/ dyligence muſt be had that all men maye vnderſtāde (if they wyl be ſafe) that we muſt obey to neceſſite. And alſo all that gouernē a cōmenty / they ought to prouyde that plenty may be had of ſuche thynges that be neceſſary/ of the whiche thynges what preparacion is wōt to be had it is not neceſſary to dipute/ for it is manyfeſt. The place onely was to be diſputed.

AVARITIA VACARE DEbent, qui muneribus publicis funguntur.

CAput autem in omni procuratione negotij, & muneris publici, ut auaritiæ pellatur etiam minima ſuſpicio. Vtinam inquit C. Pontius Samnis, ad illa tempora fortuna me ſeruaſſet, & tunc eſſem natus, quando Romani dona accipere cœpiſſent, non eſſem paſſus diutius eos imperare. Ne illi quidem multa ſæcula expectanda fuerũt. Modo enim hoc malum in hanc Remp. inuaſit. Itaq; facile patior tunc potius Pontium fuiſſe, ſiquidem in illo tantum fuit roboris, nondum centum & decem anni ſunt, cum de pecunijs reputundis à Lucio Piſone lata eſt lex, nulla antea cũ fuiſſet. At uero poſtea tot leges, & proximæ quæq; duriores, tot rei, tot damnati, tantum Italicum bellum propter iudiciorũ metum excitatum, tanta ſublatis legibus, & iudicijs expliatio, direptioq; ſociorum, ut imbecillitate aliorum, non noſtra uirtuti ualeamus. Laudat Africanum Panætius, quod fuerit abſtinens, quid ni laudetur? ſed in illo alia maiora. Laus enim abſtinentiæ nõ hominis eſt ſolum, ſed etiam temporum illorum. Omni Macedonum gaza, quæ fuit maxima, potius eſt Paulus, tantum in ærarium pecuniæ inuexit, ut unius imperatoris præda, finem attulerit tributorum. At hic nihil in domum ſuam intulit, præter memoriam nominis ſempiternam. Imitatus patrem Africanus, nihil locupletior Carthagine euerſa.

¶ They that beare offyce in the cõmente muſt abſtayne from auaryce / alſo get the loue of a multytude and contrary wyſe by defraude of other mens goodes apereth extreme extorcyon.

IT is heed and hyeſt conſyderacion in euery perturbacion of any buſyneſſe or cõmen offyce/ that ſuſpyciõ of auaryce(though it be very lytle)be auoyded. wold god ſayd Cneꝰ Pōtius a ſamnyte, that fortune had reſerued me vnto that tyme/ & that I had be borne that tyme whā the Romayns begā to take bribes/ I wold nat a ſuffred thē to haue ruled any lēger. He ſhulde not haue loked for many yeres of/ for of late this miſchefe inuaded in to this cõmen welthe of Rome. Therfore I am wel cōtent that C. Pontius was rather in that tyme(whā corrupcion was not)thā nowe/ if there were ſo great power ī him It is not yet an hūdred & ten yeres ago whā a lawe was made by Lucius Piſo of aſking reſtytuciō/ wher as there was none ſuch before. But after warde ſo many lawes/ & all that folowed thē more ſtrayte ſo many foūde gylty / ſo many cōdempned/ ſo great batayle & warre in Italy/ and ſo great drede of lawes ſtyrred vp/ ſo great pyllage & pollyng/ all lawe and iudgement layde aparte/ and robbyng of our felowes & frendes / ſo that we be of hye power by reaſon of weakneſſe & impouerypſhment of other / not by our vertue & manhode. Panecius prayſeth Aphricane bycauſe he was cōtynent fro ſuche auaryce: what ſhulde he els but prayſe hym? but there was other thynges in hym of more prayſe. For the prayſe of abſtynence is not onely of the man/ but alſo of the tymes that a mā is in. Paulus Emilius optayned al the rycheſſe of Macedonyens whiche was very great. He brought ſo moche money in to the cōmen treaſorye/ ſo that the pray of one graunde capytayne made an ende of trybutes / but he brought nothyng in to his owne houſe beſyde ẏ memory of his name euerlaſtynge. Aphricane folowynge the ſteppes of his father, was neuer the richer for Chartage that he diſtroyed.

Quid qui eius collega in cenſura fuit L. Mummius? numquid copioſior, cum copioſißimam urbem funditus ſuſtuliſſet? Italiam ornare, quam domum ſuam maluit, quanquam Italia ornata, domus ipſa uidetur mihi ornatior. Nullum igitur uitium tetrius (ut eò unde egreſſa eſt, referat ſe oratio) quam auaritia, præſertim in principibus, & Rempublicam gubernantibus. Habere enim quæſtui Rempubl. non modo turpe eſt, ſed ſceleratum etiam & nefarium. Itaq; quod Appollo Pythius oraculo edidit, Spartam nulla re alia niſi auaritia eſſe perituram, id uidetur non ſolum Lacedæmonijs, ſed & omnibus opulentis populis prædixiſſe. Nulla autem re conciliare facilius beneuolentiam multitudinis poſſunt hi, qui Reipublic. præſunt, quam abſtinentia & continentia. Qui uero ſe populares uolunt, ob eamq; cauſſam, aut agrariam rem tentant, ut poſſeſſores pellantur ſuis ſedibus, aut pecunias creditas debitoribus condonandas putant, labefactant fundamenta Reipub. concordiam primum tollunt, quæ eſſe non poteſt, cũ alijs adimuntur, alijs condonantur pecuniæ. Deinde æquitatem, quæ tollitur omnis ſi habere ſuum cuiq; nō licet. Id enim eſt propriũ (ut ſupra dixi) ciuitatis, atq; urbis, ut ſit libera, & non ſollicita, ſuæ rei cuiuſq; cuſtodia, atq; in hac pernicie Reip. ne illam quidem conſequuntur, quam putant gratiam. Nam cui res erepta eſt, inimicus, cui data eſt, etiam ſi dißimulat ſe accipere uoluiſſe.

what ſayde I/ Lucius Mummius that was his felowe whan he was Cenſor/ whether or no was not he rycher whan he diſtroyed vtterly ſo ryche a cyte/ He had leauer put Italy to honour than his owne houſe. And thoughe Italy was honoured by hym/ yet me thinketh that houſe and progenye was more honoured. Therfore there is no vyce more heynous and poyſonfull (ſo that I maye returne to my purpoſe that I degreſſed fro) than auaryce, ſpecially in princes and gouernours of cõmen welthes. To mayntayne a cõmen welthe by vyle lucre is not onely reproche/ but alſo miſcheuous and a wycked faſſyon. Therfore that whiche Appollo Pithius ſayd in prophecye/ that Spartha cyte ſhulde be diſtroyed by none other waye but by auaryce. It apereth that he prophecyed not onely of the Lacedemonyes/ but of al welthy cõmentyes. Suche that ruleth cõmen welthes can by no meanes ſoner alure the beneuolence of a multytude than by abſtynence & contynence/ by abſtaynyng fro other mens good, and cõtynence in moderatneſſe of their owne affections. They that wyll haue fauour of the people for this entẽt, eyther they attempt alyenacion of landes / ſo that they may expel the occuppers fro their holdes/ or thynke that the money that is layde to them to be forgyue of their dettours. They caſt downe and bring to decaye the foundacyon of the cõmen welthe. Fyrſt they take away concorde whiche maye not be/ whan money is take fro ſome men/ and forgyue of ſome men. Seconde they take awaye iuſtyce/ whiche holly is take awaye if euery man maye not haue his owne. For this (as I ſayd before) is appropred to a cyte and a towne that it may be free & not troubled euery man with kepyng his owne good. And in this myſery and diſtruction of a cõmen welthe/ they get not that fauour whiche they thynke to get. For from whome any thynge is take/ the enemye to whome it is gyue/ thoughe he dyſſemble that he was wyllynge to receyue it/

& maxime in pecunijs credulis occultat ſuum gaudium, ne uideatur non fuiſſe ſoluendo. At uero ille, qui accipit iniuriam, & meminit, & præ ſe fert dolorem ſuū, nec ſi plures ſunt hi, quibus improbe datum eſt, quam illi, quibus iniuſte ademptum eſt, idcirco plus etiam ualent, non enim numero hæc iudicātur, ſed pondere. Quam autē habet æquitatem lex agraria, ut agrum multis annis, aut etiam ſæculis ante poſſeſſum, qui nullū habuit, habeat, qui autem habuit, amittat? At propter hoc iniuriæ genus, Lacedemonij Lyſandrum Ephorum expulerumt. Agin regem, quod nunquam ante apud eos acciderat, necauerūt. Ex quo eo tempore tantæ diſcordiæ ſecutæ ſunt, ut tyranni exiſterent, & optimates exterminarentur, & præclarißime conſtituta Reſpub. dilaberetur. Nec uero ſolū ipſa cecidit, ſed etiam reliquam Græciam euertit cōtagionibus malorū, quæ à Lacedemonijs profectæ manarūt latius. Quid noſtros Gracchos, Tyberij Gracchi ſummi uiri filios, Africani nepotes? nonne agrariæ cōtentiones perdiderunt? At uero Aratus Sycionius iure laudatur, qui cum eius ciuitas .l. annis à tyrannis teneretur, profectus Argis Sycionem clandeſtino introitu urbe eſt potitus. Cunque tyrannū Methodeū improuiſo oppreßiſſet, ſexcentos exules (qui fuerāt eius ciuitatis locupletißimi) reſtituit, Remque publ. aduētu ſuo liberauit. Sed cū magnā animaduerteret, in bonis, & poſſeßionibus difficultatē, qđ & eos, quos & ipſe reſtituerat quorum bona alij poſſederant, egere iniquißimū arbitrabatur,

and ſpecially in money that he receyued as alone/ ⁊ conceleth it inwarde ioy to hym ſelfe/ leeſt he ſhuld ſeme that he was not able to pay. But he that taketh wronge ⁊ remembreth and ſheweth heauy countenaunce/ ⁊ though they be many mo to whome it is gyuen/ than thoſe from whome it is vniuſtly take/ therfore they be not of more eſtymacion: for theſe thynges be not to be eſtemed after the nombre but after the weyght ⁊ quãtyte. What equyte and iuſtyce hath he whiche ſhall haue a grounde of an other mans poſſeſſed ⁊ occupyed many yeres paſt/ whiche had none before/ and he that had it in poſſeſſyon ſhall go beſyde it. But for this maner of wronge the lacedemonyens expulſed Lyſãder a there ruler with them. They ſlewe kyng Agin, whiche neuer before chaunced among them. Sythen the whiche tyme ſo great diſcorde hath folowed that tyrauntes grewe vp/ and the nobylyte was extyncte and put downe/ and the cõmen welthe ſubſtancyally ſette in due ordre decayed and fyll downe. Nor it onely fyll to ruyne/ but alſo it turmoyled and turned vp ſo downe all Grece with ymagynacyons of myſchefes/ whiche ryſynge by the Lacedemonyens iſſued out wyde and brode. What ſhall I ſpeake of our countrey men Gracchy/ ſonnes vnto Tiberius Gracchus/ a very noble man/ neuewes to Aphricane: whether or no dyd not the contencyons of their landes diſtroye them? But Aratus of Sycion is of right to be prayſed/ which whereas his cyte was withholde fyfty yeres by tyrauntes/ he departynge from Argos countrey dyd wynne the cyte of Sycion/ entrynge by a preuy aſſaulte/ and whan he had ſlayne at ſodayne chaunce medley a tyraunt called Nechodius/ he reſtored ſyxe hundred banyſſhed men that were of the ſame cyte very ryche/ ⁊ delyuered by his commynge the cõmenty. But whã he dyd eſpy the great diffycultie ĩ goodes ⁊ poſſeſſyons ⁊ bycauſe he thought it not ryght that thoſe whom he had reſtored/ whoſe goodes other mẽ had in poſſeſſiõ, that they ſhuld lacke ⁊ be nedy

&.l. annorum poſſeſsiones mouere non nimis æquum putabat, propterea quod tam longo ſpacio multa hæreditatibus, multa emptionibus, multa dotibus detinebantur, ſine iniuria iudicauit, neq; illis adimi, neq; his non ſatisfieri, quorum illa fuerant, oportere. Cũ igitur ſtatuiſset opus eſse ad eam rem cõſtituendam pecunia, Alexandriam ſe proficiſci uelle dixit, remq; integram ad reditum ſuũ iuſsit eſse. Isq; celeriter ad Ptholemæum ſuum hoſpitem uenit, qui tum regnabat, alter poſt Alexandriam conditam, cui cum expoſuiſset, patriam ſe liberare uelle, cauſamq; docuiſset, à rege opulento uir ſummus facile impetrauit, ut grandi pecunia adiuuaretur. Quam cum in Sicyonem attuliſset, adhibuit ſibi in conſilium xiiij. principes, cum quibus cauſsas cognouit, & eorũ, qui aliena detinebant, & eorum, qui ſua amiſerant, præfecitq; æſtimandis poſseſsionibus, & ut perſuaderent alijs, ut pecuniam accipere mallent, & poſseſsionibus cederent, alijs ut commodus putarent numerari ſibi, quod tanti eſset, quam ſuum recuperare. Ita perfectum eſt, ut omnes conſtituta concordia, ſine querela diſcederent. O uirum magnum, dignumq; qui in noſtra Repub. natus eſſet. Sic par eſt agere cum ciuibus, non ut his iam uidimus, haſtam in foro ponere, & bona ciuium uoci ſubiacere præconis. At ille Græcus, id quod fuit ſapientis & præſtantis uiri, omnibus conſulendum putauit. Eaq; eſt ſumma ratio, & ſapientia ſummi ciuis, quomoda ciuium defendere, non diuellere, atq; omnes æquitate eadem continere.

he iudged it as great wronge to remoue the poſſeſſyons occupyed .l. yeres togyther/ bycauſe in ſo longe ſpace many thīges were withholde by reaſon of enherytaūce, many by byeng ⁊ ſellyng/ many dowers/ he iudged that without iniurye thoſe thynges ought not to be take frō theſe men that dyd withholde thē/ nor ſatiſfactyō ſhulde not be made to theſe men to whome they belōged. ¶ Therfore whā he had determyned ꝧ it was neceſſary to haue money to redreſſe this mater/ he ſayd that he wolde go to Alexandria/ ⁊ dyd cōmaunde the mater to ſtande hole vnto his retourne: and he came in haſt to kynge Ptholome his hoſte/ which ꝧ tyme reigned ſecōde after Alexandria was buylde. ¶ To whome whā he had ſhewed that he was wyllyng to delyuer his cōtrey/ ⁊ tolde to hym the cauſe that noble mā dyd optayne of ꝧ ryche kyng that he was ayded of a great ſōme of money/ whiche ſomme after he brought to the cōtrey of Sycyō. He toke to his cōſayle xv. prynces/ with whom he ſerched out the cauſes bothe of ſuche as dyd w̄holde other mens goodes/ alſo of ſuche as loſt their owne/ ⁊ made them to haue the vewe ⁊ taxacyō of their poſſeſſyons/ and that they ſhulde perſwade to ſome that they ſhulde rather wyl to take money/ and let the landes and poſſeſſyons go that were theirs. ¶ To ſome that they ſhulde thynke more profyte to haue ſo moche money tolde to them/ that was of ſo great a ſomme/ than to recouer their landes. And ſo it came to paſſe that all men (a concorde and peace made) ſhulde departe without complaynte. Oh a noble man and worthy that ſhulde be borne in our cōmentye. So it is mete to deale with cytezyns/ not as I haue ſene twyſe/ to pytch the ſpeare ſtaffe in the market place/ ⁊ to caſte the goodes of the cytezyns to the proclamacyon of the cryer. But that Grecyan Aratus thought that mete (which becōmed a wyſe man) to regarde all ſydes/ ⁊ that is the hyeſt cōſyderaciō ⁊ wyſdom of a noble cytener to defende the welthe of the cytezyns/ not to ſet them at diſcorde/ ⁊ kepe al men in one equyte.

Habitatur gratis in alieno. Quid ita? ut cum ego emerim, ædificarim, tuear, impendam, tu me inuito fruare meo. Quid eſt aliud alijs ſua eripere, alijs dare aliena. Tabulæ uero nouæ quid habent argumẽti, niſi ut emas mea pecunia fundũ, & cum tu habeas, ego nõ habeã pecuniam. Quamobrem ne ſit æs alienum, quod Reip. noceat, prouidendum eſt, quod multis rationibus caueri poteſt, ſi hoc non fuerit, ut locupletes ſuũ perdant, debitores lucrentur alienũ. Nec enim ulla res uehementius Remp. continet, quam fides, quæ eſſe nulla poteſt, niſi erit neceſſaria ſolutio rerũ creditarũ. Nunquam enim uehementius actum eſt, quam me conſule, ne ſolueretur, armis, & caſtris tentata res eſt, ab omni genere hominũ, & ordine, quibus ſic reſtiti, ut hoc tantũ malum de Repub. tolleretur. Nunquam nec maius æs alienum fuit, nec melius, nec facilius diſſolutum eſt. Fraudãdi enim ſpe ſublata, ſoluendi neceſsitas conſecuta eſt. At uero hic noſter uictor, nunc quidem uictus, quæ cogitarat ea perfecit, cum eius iam nihil intereſſet, tanta in eo peccandi libido fuit, ut hoc ipſum eũ delectaret peccare, etiam ſi cauſſa non eſſet. Ab hoc igitur genere largitionis, ut alijs detur, alijs auferatur, aberũt hi, qui Rempub. tuebantur. In primisq; operam dabunt, ut iuris, & iudiciorum equitate ſuũ quiſq; teneat. Et neq; tenuiores propter imbecillitatem circumueniantur, neq; locupletibus ad ſua uel tuenda, uel recuperanda obſit inuidia. Præterea quibuſcunq; rebus uel belli, uel domi poterũt Remp. augeãt imperio, agris, uectigalibus,

[illegible] to dwell in an other mans houſe paying [illegible] And why ſo/as whan I haue bought/buylde/let [illegible] repayre ⁊ make coſt/ ⁊ thou ſhalt haue the commodite [illegible] houſe agaynſt my wyl, what is it els but to take fro [illegible] men their propre good / ⁊ to gyue them to other/ as [illegible] to rob Peter and clothe Paule. what mene new [illegible] of proſettions, but that thou mayeſt bye lãdes with [illegible] money, ſo that thou mayeſt bye lãde ⁊ I ſhal haue no [illegible] wherfore a prouiſyon muſt be made that borowed [illegible] be not ſo vſed that it may hurte the cõmen wealthe, whiche maye be auoyded by many reaſons, yf ſo be that this one thynge chaunce not, that ryche men ſhall not loſe their owne good, ⁊ dettours gayne of other mens good. [illegible] any thynge contynueth a cõmen welth more ſtrõgly than faythfulneſſe ⁊ trewe dealyng, whiche can not be in [illegible] wyſe except neceſſary payment be made of the loone. There was neuer more vehement laboure made, than I [illegible] a Cõſul, that it ſhulde not be payed. The mater was attempted by weapons ⁊ tentes in batayle of all degrees of men and ordre, whome I dyd reſyſt, ſo that this miſ[illegible] only myght be expulſed fro the cõmentie of Rome. There was neuer loone greater, nor yet payde better nor [illegible] For they hope and truſt of fraude takẽ away, neceſ[illegible] of payment dyd enſue. But this our vyctor Julyus [illegible] now he is ouercome, brought theſe thinges to paſſe [illegible] entẽded, where as he had nothyng to do therwith. There was ſo great pleſure ĩ him to do nought that this [illegible] doinge pleaſed him, ye and though he had no cauſe. Therfore fro this maner of bribery that other mẽs goo[illegible] ſhalbe gyuẽ to theſe men, ⁊ takẽ fro thoſe men, ſuche [illegible] ruleth the cõmen welth wyl kepe theyr hãdes clene, and ſpecyally they wyll endeuer them ſelfe that they may kepe by equytie of right ⁊ lawe euery man his owne, ⁊ ſo that neyther poore mẽ ſhalbe decayed ⁊ begyled by reaſõ of their poore power, nor enuy ſhal not hurt riche mẽ, eyther to defẽde or recouer their owne goodes. Farther they muſt encreaſe the cõmen wealthe by all meanes they can, both ĩ tyme of war ⁊ peace, ⁊ empyre, landes ⁊ cuſtomes

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Hæc magnorum hominum ſunt, hæc apud maiores noſtros factitata. Hæc genera officiorum qui perſequuntur cum ſumma utilitate Reip. magnam ſibi adipiſcentur & gratiam, & gloriam. In his autem utilitatum præceptis Antipater Tyrius Stoicus, qui Athenis nuper fuit mortuus, duo præcepta cenſet eſſe à Panætio prætermiſſa, ualetudinis curationem, & pecuniæ. Quas res à ſummo philoſopho præteritas arbitror, quod eſſent faciles, ſunt certe utiles.

QVIBVS RATIONBVS VAletudo & res familiaris tum paranda tum tuenda.

SEd ualetudo ſuſtentatur notitia ſui corporis, & obſeruatione earum rerũ, quæ res aut prodeſſe ſoleant, aut obeſſe, & cõtinentia in uictu omni, atq; cultu corporis tuendi cauſſa, & prætermittendis uoluptatibus. Poſtremo arte eorũ, quorum ad ſcientiam hæc pertinent. Res autẽ familiaris quæri debet his rebus, quibus abeſt turpitudo. Cõſeruari autẽ diligentia & perſimonia iiſdem etiã rebus augeri. Has res cõmodiſſime Xenophõ Socraticus perſecutus eſt in eo libro q Oeconomicus inſcribitur, quẽ nos iſta ferè ætate cũ eſſemus, quas es tu nũc, è græco ĩ latinũ cõuertimus

COMPARATIO DVORVM utilium inter ſe.

SEd utilitatũ comparatio, quoniam hic locus erat quartus à Panætio prætermiſſus, ſæpe eſt neceſſaria. Nam & corporis cõmoda cũ externis, & externa cũ corporis,

[illegible] be the offyces of greate men / theſe thynges were [illegible] by our elders. Suche as foloweth this maner of or[illegible] with very great profyte of the cõmen wealth / they [illegible] to them ſelfe both great fauour & glory. In theſe [illegible] of profyte Antipater of Tyrus countrey, and [illegible] ſchole of Socrates, whiche late dyed in Athenes, [illegible] that two preceptes be ouerſcaped of Panecius, [illegible] to ſay the prouiſyon of helth, alſo of money: which [illegible] I ſuppoſe were let paſſe of this noble phyloſo[illegible] bycauſe that they were lyghte to perceyue, all be it [illegible] be profytable in dede.

¶ By what meanes helth of body & houſholde good is to be ordeyned for, and to be ſaued.

But helth is preſerued by knowledge of a mãs owne body, and by obſeruacyon of ſuche thynges whiche [illegible] be wont to profyte or hurte, and by temperaũce in [illegible] ſedynge and apparayle, for the entent to kepe our [illegible] ſafe, and in abſtinence fro pleaſure. And fynally by [illegible] connynge of them to whoſe ſcyence it perteyneth, [illegible] phyſycions. The goodes to mayntayne houſholde muſt [illegible] of ſuche thynges wherin is no vylanye, & kepte [illegible] by dylygence and honeſte ſauynge called parſy[illegible], alſo to be augmented by the ſame meanes. Xeno[illegible] Socrates ſcholer dyd proſecute theſe maters verye [illegible] in that booke that is intytled of houſholde [illegible], whiche booke whan I was almooſte of the age [illegible] thou arte nowe I dyd tranſlate in to latyne.

¶ The comparyſon of two profytes togyther, whiche is the fourth kynde of delyberacion bytwene profytes, & whether is more or whiche is moſte profyte

But for as moche as the cõpariſon of ꝓfytes is neceſſary bycauſe this was the fourth parte ouerſlypped by Panecius, for bothe the cõmodytyes of the bodye are [illegible] to be cõpared with thexterior cõmodites of the body [illegible] thexterior cõmodytyes. & the cõmodytyes of the body,

& ipſa inter ſe corporis, & externa cum externis comparari ſolent. Cum externis, corporis, hoc modo comparatur, ualere ut malis, quam diues eſſe. Cum corporis, externa hoc modo, diues eſſe potius, quam maximis corporis uiribus. Ipſa inter ſe corporis comparantur ſic, ut bona ualitudo uoluptati anteponatur, uires celeritati. Externorũ autẽ, ut gloria diuitijs, ueſtigalia urbana ruſticis. Ex quo genere comparationis illud eſt Catonis ſenis, à quo cum quæretur, quid maxime in re familiari expediret, reſpondit bene paſcere. Quid ſecundũ? ſatis bene paſcere. Quid tertium? bene ueſtire. Quid quartum? arare. Et cum ille, qui quæſierat dixiſſet, quid fœnerari? tum Cato, quid hominem inquit occidere? Ex quo, & multis alijs intelligi debet, utilitatum comparationes ſolere fieri, recteq; hoc adiunctum eſſe quartum exquirendorum officiorum genus. Sed toto hoc de genere, de quærenda, de collocanda pecunia, etiam de utenda, commodius a quibuſdam optimis uiris ad medium ianuæ ſedentibus, quam ab ullis philoſophis, ulla in ſchola diſputatur. Sunt tamen ea cognoſcenda. Pertinent enim ad utilitatem, de qua hoc libro diſputatum eſt. Reliqua deinceps perſequemur.

[illegible] amonge them ſelfe, alſo the exterioꝛ commo[illegible] with other exteryours. This maner of wyſe the [illegible]odytyes of the body be compared with exteryoꝛ com[illegible]tyes, that thou arte leauer to be in good helth than [illegible] ryche man. The exteryoꝛ cōmodytyes with com[illegible]tyes of the body this wyſe be compared: It is bet[illegible] be ryche than the beſt helthe of the body. The com[illegible] of the body be thus compared, that good helth [illegible]ferred befoꝛe pleaſure, ſtrengthe befoꝛe ſwyftneſſe. [illegible]ryſon of exterioꝛ thinges be this wyſe compared, [illegible] and fame befoꝛe rycheſſe: cuſtomes and tolles of [illegible] befoꝛe vplandiſſhe cuſtomes. Of the which maner [illegible]paryſons that is the ſaying of olde Cato, of whom [illegible] it was demaunded what ſhoulde be mooſte expedy[illegible] houſholde kepyng: he anſwered thus. To fede and [illegible] well men and beaſtes. what is the ſeconde? To fede [illegible] and competētly. what the thyꝛde? To clothe well. [illegible] the fourthe? To plughe and occuppe huſbandꝛye. [illegible] when he that aſked this queſtyon ſayd, what is it to [illegible]? To that Cato anſwered, what is it (ſayd he) to [illegible] man? wherof and many other lyke we muſt gather [illegible] comparyſons of pꝛofyte are wont to be made, and [illegible] thynge is well ioyned therto, the fourthe maner of [illegible]tacyon and ſerchynge oute of offyce touchynge pꝛofyte. But in this maner holly of gyuynge and ſpendynge of money, alſo of vſynge therof is better diſputed of ſome good men ſyttynge at the myddes of theyꝛ doꝛe, than of any phyloſopher oꝛ in any ſcholr. Al be it theſe thynges are to be knowen, foꝛ they pertayne to pꝛofyte, wherof in this booke diſputacyon ſhall be made, And ſo foꝛthe I pꝛocede of other maters.

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M. T. C. DE OFFICIIS LIBER TERTIVS

PVBLIVM SCIPIONEM Marce fili, eum, qui primus Africanus apppellatus eſt, dicere ſolitum ſcripſit Cato (qui fuit ferè eius æqualis) nunquam ſe minus otioſum eſſe, q̃ cum otioſus, nec minus ſolum, quam cum ſolus eſſet. Magnifica uero uox, & magno uiro & ſapiente digna, quæ declarat illum & in otio de negotijs cogitare, & in ſolitudine ſecũ loqui ſolitũ, ut neq; ceſſaret unquã, & interdum colloquio alterius non egeret. Itaq; duæ res, quæ languorem afferunt cæteris, illum acuebant, ocium & ſolitudo. Vellem & nobis hoc idem uere dicere liceret. Sed ſi minus immitatione tantam ingenij præſtantiam conſequi poſſumus, uoluntate certe proxime accedimus. Nam & à Repub. forẽſibuſq; negotijs, armis impijs, uiq; ꝓhibiti, ocium perſequimur. Et ob eam cauſſam urbe relicta, rura peragrantes ſæpe ſoli ſumus. Sed nec otium hoc cum Africani otio, nec hæc ſolitudo cum illa comparanda eſt. Ille enim requieſcens à Reipub. pulcherrimis muneribus, otium ſibi ſumebat aliquando, & à cœtu hominum, frequentiaq; interdum tanquam in portum, ſe in ſolitudinem recipiebat,

¶ Here foloweth the thyrde booke of the offyces, made by Marcus Tullius Cicero.

MI ſonne Marcus, Cato dyd wryte that Scipio, he that fyrſt was called Aphricane (which Cato was almoſt egall to Scipio) was wonte to ſaye that he was neuer in leſſe quyetneſſe and reſt, than whan he [illegible] quyet and at reſt, nor leſſe ſolytarye than whan he [illegible] alone. A laudable and a noble ſayinge, and ac[illegible] to ſo great a man, and ſo noble a man/ whiche [illegible] that he bothe in quyetneſſe and reſt dyd ſtudye [illegible]neſſe, alſo in his ſolytaryneſſe whan he was ſoole, [illegible] was wonte to talke with hym ſelfe, ſo that he was [illegible] unoccupyed at any tyme: and ſomtyme he ſhoulde not [illegible] the communycacyon of an other man. And ſo two [illegible] whiche bryngeth greuaunce to other man quyc[illegible] hym, that is quyetneſſe and ſolytaryneſſe. I wolde [illegible] that I myght ſay in dede the ſame thynge, but for as [illegible] that I can not folow ſo great excellence of wyt by [illegible], I wyl go very nygh therto I wyl. For I letted [illegible] ſtopped fro the cōmen wealth ⁊ maters in the law by [illegible] warre and vyolēce I folow quyetneſſe ⁊ reſt. And [illegible] that cauſe the cytie left aparte, I walkyng in the coū[illegible] am oft ſoole alone. But this my quyetneſſe maye not [illegible] compared with that quyetneſſe of Aphricane, nor this [illegible] ſoolneſſe is not comparable to his ſoolneſſe. For he ly[illegible] quyet fro moſt honeſt roumes ⁊ rule in the cōmētie, [illegible] vnto hym reſt ⁊ quyetneſſe ſomtyme, and conueyed [illegible] ſelfe fro the companye of men and from the recourſe [illegible] them ſomtyme, as in to an hauen in to ſolytarye reſt.

Noſtrum autem otium negotij inopia, nec requieſcẽdi ſtudio cõſtitutum eſt. Extincto enim Senatu deletiſq; iudicijs, quid eſt quod dignum nobis aut in curia, aut in foro agere poßimus? Itaq; in maxima celebritate, atque in oculis ciuium quondam uiximus, nunc fugientes conſpectum ſceleratorum, quibus omnia redundant, abdimus nos quantum licet, & ſæpe ſoli ſumus. Sed quia ſic ab hominibus doctis accepimus, non ſolũ ex malis minima oportere eligere, ſed etiam excerpere ex his ipſis, ſi quid ineſſet boni, propterea & otio fruor, non illo quidem non debeatis, qui quondam peperiſſet otiũ ciuitati. Nec eam ſolitudinem languere patior, quam mihi affert neceßitas, non uoluntas. Quanquam Africanus maiorem laudem, uel meo iudicio aſſequebatur, nulla tamen eius ingenij monumenta mandata litteris, nullum opus ocij, nullũ ſolitudinis munus extat. Ex quo intelligi debet, illum mentis agitatione inueſtigationeq; earum rerum, quas cogitando cõſequebatur, nec otioſum, nec ſolum unquam fuiſſe. Nos autem qui non tantum roboris habemus, ut cogitatione tacita à ſolitudine abſtrahamur, ad hanc ſcribendi operam omne ſtudium, curam que conuertimus. Itaq; plura breui tempore euerſa, quam multis annis ſtante Reipub. ſcripſimus. Sed cũ tota Philoſophia, mi Cicero, frugifera, & fructuoſa, nec ulla pars eius inculta ac deſerta ſit, tamen nullus feracior in ea locus eſt, nec uberior, q̃ de officijs, à quibus conſtanter, honeſteque uiuendi præcepta ducũtur. Quare quanquam à Cratippo noſtro,

But my reſt for lacke of maters and beſyneſſe is ſet in the ſtudy of no reſtyng. For the noble ſenate deſtroyed, & iugementes of the lawe fordone, what thing is it becōming me that I can do eyther in courte or in the conſyſtorye of the lawe. And ſo I that lyued in moſt fame, & in the ſyght ſomtyme of all the cytie, nowe flyenge the ſyght of myſcheuous tyrauntes that haue all the worlde at their wyl, haue hydde my ſelfe as ferforthe as I can, and ofte I am ſoole. But for as moche as I haue ſo herde of wyſe men, I muſte not onelye choſe out of euylles the leeſt, but alſo pyke out of them ſome goodneſſe if any be therin. Therfore I may vſe quyetneſſe, not that whiche he ſhulde do that ſomtyme brought quyetneſſe to this cytie of Rome, nor I wyll ſuffer this ſoolneſſe to be vnoccupyed whiche neceſſytie dryueth me vnto, and not my wyll. Though Aphricane wanne more laude (at leeſt wyſe in my iudgemente) yet there remayneth no monumente of his inuencyon put in wrytynge, no worke whan he laye at reſt, no benefyte whan he was ſoole at lybertye of mynde. wherof we muſte vnderſtande that he by exercyſe of his mynde, and by ſekynge oute of ſuche thynges as he gotte by ſtudye was neyther ydle nor ſolytarye at anye tyme. But I that haue not ſo moche pythe that I maye be abſtracte by cloſe ſtudye fro ſoolneſſe, haue tourned all my ſtudye and thought to this exercyſe of wrytynge. and ſo I haue wrytten in ſhorte tyme mo thynges nowe the commen wealthe is diſtroyed, than whan it ſtode in proſperytie. But in my ſonne Cicero for as phyloſophye hole is frutefull and profytable, nor anye parte therof lyeth as a grounde vntylled or in waſte, yet no place in it is more fruytefull nor more plentuous than that whiche treateth of offyces and honeſte maners, of the whiche the preceptes of lyuynge conſtauntlye and honeſtelye be drawen oute. wherfore though I truſte that thou doeſt heare this of Cratyppus my frende,

principe huius memorię philoſophorum, hoc te aſsidue audire, atq; accipere confido, tamen conducere arbitror talibus aures tuas uocibus undiq; circũſonare, nec eas (ſi fieri poſsit) quicquam aliud audire. Quod cum omnibus eſt faciendum, qui uitam honeſtam ingredi cogitant, tamen haud ſcio, an nemini potius, quam tibi. Suſtines enim non paruam expectationem imitandę induſtrię noſtrę, magnam honorũ, nonnullam fortaſſe nominis. Suſcepiſti onus præterea graue, & Athenarũ, & Cratippi, ad quos cum tanquam ad mercaturam bonarum artium ſis profectus, inanem redire turpiſsimum eſt, dedecorantem, & urbis authoritatem & magiſtri. Quare quantum conniti animo potes, quantum labore contendere, ſi diſcendi labor eſt potius quam uoluptas, tantum fac, ut efficias, neue committas, ut cum omnia ſuppeditata ſint à nobis, tute tibi defuiſſe uideare. Sed hęc hactenus. Multa enim ſępe ad te cohortandi gratia, ſcripſimus. Nunc ad reliquam partem propoſitę diuiſionis reuertamur.

DE COMPARATIONE utilis, ac honeſti.

PAnætius igitur, qui ſine controuerſia de officiis accuratiſsime diſputauit, quęq; nos correctione quadã adhibita potiſsimũ ſecuti ſumus tribus generibus ꝓpoſitis, in quibus deliberare homines, & cõſultare de officio ſolerẽt,

prince of phyloſophers in theſe dayes, & I truſt that thou haſt vnderſtande it, not withſtanding I iudge that it is good to exercyſe thy eares with ſuche wordes of morall vertue vpō euery ſyde, nor thy eares ſhall here any other thynges els, if it maye be brought to paſſe. Which thynge for as moche as it is to be done of euery man that entendeth to entre in to an honeſte lyfe, yet I can not tell whether to no man rather than to the. Thou ſuſtayneſt no ſmall burthen that men loke that thou ſhuldeſt folow my dylygence, a greate burthen of honours, & peraduenture ſomwhat of my name. Thou haſt farther takē vpon the a great burthen by reaſon of Athenes, and of thy maſter Cratippus, to whom as to a mater of lyberall ſcyence for as moche as thou haſt takē thy iourney, to returne voyde of knowledge is very great reproche, diſtayns bothe the authoritie of that cytie & alſo of the maſter. Wherfore as farforthe as thou can endeuer the in mynde, as farforth as thou can contende by labour of ſtudy (yf it be a labour to lerne rather than a pleaſure) do thy dyligēce that thou may bringe to paſſe that thou do not offende, that where as all neceſſaryes be ſuſtayned and ſende by me, that thou thy ſelfe may be ſene not lackynge to thy ſelfe: but here an ende of this maters. I haue writen to the ofte and many thynges to the entente to aduertyſe the. Now I wyll returne to the parte remaynynge of this diuiſyon purpoſed.

¶Of the comparyſon bytwene profyte & honeſtye, wherin Panecius is reprehended, bycauſe he promyſed to wryte of thre maners of delyberacions, and lefte the thyrde indiſcuſſed, and yet by Tully defended.

Therfore Panecius whiche without controuerſy dyd diſpute cyrcumſpectly of offyces, whom I (as certeyne dilygence gyuen) ſpecyally dyd folowe thre maner of delyberacyons purpoſed, wherin men are wont to take delyberacion of offyce & honeſtye,

uno cum dubitarent, honeſtum ne id eſſet, de quo ageretur, an turpe, altero utile ne an inutile, tertio ſi id quod ſpeciem haberet honeſti, pugnaret cū eo, quod utile uideretur, quo modo ea diſcerni oporteret. De duobus generibus, primis tribus libris explicauit. De tertio autem genere deinceps ſe ſcripſit dicturum, nec exoluit quod promiſerat. Quod eo magis miror, quia ſcriptū a diſcipulo eius Poſsidonio eſt, triginta annis uixiſſe Panætium, poſtq̃ eos libros edidiſſet. Quem locum miror à Poſsidonio breuiter eſſe tractatum in quibuſdam commentarijs, præſertim cum ſcribat nullum eſſe locum in tota Philoſophia tam neceſſarium. Minime uero aſſentior his, qui negant eum locum à Panætio prætermiſsum, ſed conſulto relictum, nec omnino ſcribendum fuiſſe, quia nūquam poſſet utilitas cum honeſtate pugnare. De quo alterum poteſt habere dubitationem, adhibendū ne fuerit hoc genus, quod in diuiſione Panætij tertium eſt, an planè omittendū. Alterum dubitari non poteſt quin à Panætio ſuſceptum ſit, ſed derelictū. Nam qui è diuiſione tripartita duas partes abſoluerit, huic neceſſe eſt reſtare tertiam. Præterea in extremo libro tertio, de hac parte pollicetur ſe deinceps eſse dicturum. Accedit eodem teſtis locuples Poſsidonius, qui etiam ſcribit in quadam epiſtola, P. Rutilium Ruſum dicere ſolere, qui Panætium audierat, ut nemo pictor eſſet inuentus, qui Veneris eam partem, quam Apelles inchoatā reliquiſſet, abſolueret (oris enim pulchritudo, reliqui corporis imitandi ſpem auferebat) ſic ea qua

one whā they douted whether it ſhulde be honeſt wherof counſayle was takē/ or els inhoneſt: Seconde whether it ſhoulde be profyte or domage. Thyrde whether the thynge that had the reſemblaunce of honeſtye, dyd repugne with that honeſtye that appeareth profytable/ by what maner of wayes thoſe thynges maye be knowen a ſonder. Of the two larther maners Panecius did declare in thre bookes. Of the thyrde maner he wrote that he wolde ſpeake of afterwarde/ nor he perfourmed that he promyſed/ whiche I meruayle more bycauſe it is writtē of his ſcholer Poſſydonius/ that Panecius lyued thyrtye yeres after he had made thoſe bookes/ whiche place I meruayle to be ſo breuely touched of Poſſidonius in certayne cōmentaryes/ ſpecyally where as he wryteth that no place throughoute hole phyloſophye is ſo neceſſarye. I agre not with them that denyeth that place to be ouerſlypped of Panecius/ but of purpoſe left imperfyte/ nor vtterly it oughte not to be wrytten of, bycauſe that profyte coulde neuer repugne agaynſt honeſtye. wherof the one maner may haue doubt whether this maner is to be ioyned/ whiche is the thyrde in the dyuyſion of Panecius/ or els vtterly not to be ſpoken of. The other maner maye not be doubted of/ but it was begon of Panecius/ but it was lefte imperfyte. For he that fynyſſhed of this tripertite diuyſyon two partes/ it was neceſſary that the thyrde ſhoulde remayne. Beſyde that in the ende of his thyrde booke he promyſeth that he wyll ſpeake of that parte afterwarde. Poſſydonius is ioyned in the ſame poynt as a credyble wytneſſe/ which alſo wryteth in a certayne epyſtle/ that Publius Rutilius Rufus was wonte to ſaye, which herde Panecius/ that no paynter ſhoulde be founde whiche ſhoulde fynyſſhe that parte of Venus/ which inchoat had begon, Apelles left of imperfyte. For the beautye of the face toke away hope of the reſydue of the body to be folowed & fynyſſhed. So thoſe thīges that

Panætius prætermiſiſſet, & non perfeciſſet, propter eam quæ feciſſet præſtātiam, neminem eſſe perſecutū. Quamobrem de iudicio Panætij dubitari non poteſt. Rectene autem hanc tertiam partē ad exquirendum officium adiunxerit, an ſecus, de eo fortaſſe dubitari poteſt. Nam ſiue honeſtū ſolum bonum eſt, ut Stoicis placet, ſiue quod honeſtum eſt, id ita ſummum bonum eſt, quemadmodum Peripateticis noſtris uidetur, ut omnia ex altera parte collocata uix minimi momenti inſtar habeant, dubitandū non eſt, quin nunquā poßit utilitas cū honeſtate cōtendere. Itaq; accepimus Socratem ſolitū execrari eos, qui primū hæc natura cohærentia, opinione diſtraxiſſent. Cui quidem ita ſunt Stoici aſſenſi, ut quicquid honeſtum eſſet, id utile eſſe cenſerent, nec utile quicquam, quod non honeſtū. Quod ſi is eſſet Panætius, qui uirtutē propterea colēdam diceret, quod ea efficiens utilitatis eſſet, ut hi, q res expetēdas uel uoluptate uel indigētia metiuntur, liceret ei dicere honeſtatē aliquando cū utilitate pugnare. Sed cum ſit is, qui id ſolū bonū iudicet quod honeſtum ſit, quæ autē huic repugnent ſpecie quadam utilitatis, eorū neq; acceßione meliorē uitam fieri, nec deceßione peiorē, nō uidetur huiuſmodi debuiſſe deliberationem introducere, in qua quod utile uideretur, cum eo quod honeſtum eſt, comparetur. Etenim quod ſummum bonum à Stoicis dicitur, conuenienter naturæ uiuere, id habet hanc (ut opinor) ſententiam, cum uirtute congruere ſemper, Cætera autem, quæ ſecundum naturam eſſent, ita legere,

Panecius ouerpaſſed and dyd not fynyſſhe, that no man dyd attempte for the excellencie of ſuche thynges as he dyd make. wherfore there can be no doubte of Panecius iudgemente whether that he adioyned well this thyrde parte in ſerche out honeſtie or other wyſe. Peraduenture it maye be doubted of hym , for whether honeſtye by it ſelf onely is good , as Socrates ſchole holdeth , or elles that thynge whiche is honeſt is ſo perfyte good (as Ary- ſtotels ſchole dothe iudge)that all thynges ſette vpon the contrarye parte (as profyte and pleaſure)be ſcantly take in the quantytie of a lytell myte. It is not to be doubted but that profyte may neuer repugne with honeſtye. Therfor we haue hearde that Socrates was wonte to curſe them whiche fyrſte dyd deuyde (by theyr opynion)theſe thynges that vnytie had knytte by nature, to whome all his folowers ſo to aſſente , that what ſo euer was honeſt they iudged it to be profytable , nor anye thynge to be profytable that was not honeſt: But yf ſo be Panecius had ben that man that wolde ſaye that vertue therfore ſhulde be loued, bycauſe it was a cauſe effycyente of profyte (as they whiche iudged thynges to be deſyred eyther for pleaſure or for nede) he myght ſay that honeſtye ſomtyme is repugnaunte with profyte. But where as he is the man that iudgeth that thynge onely to be good that is honeſt , and the thynges that be repugnaunte to that opynion vnder reſemblaunce of profytes , nor the lyfe of man to be made better by the encreaſe of ſuche thynges (as eytheleſſe) nor to be made worſe by the decay of them. it ſemeth that he ſhulde not haue brought in this maner of delyberacion , wherin he myght compare that thynge that ſemeth profytable with that whiche is honeſte. For that is called perfyte felycytye of Socrates folowers , to lyue accordynge to the lawe of nature. That hathe (as I thynke)this maner of ſence , that it agreeth with vertue alwayes , and to electe and choſe oute of the thynges that ſhoulde be agreynge after nature ,

ſi ea uirtuti non repugnarent. Quod cum ita ſit, putãt quidam hanc comparationem recte non eſſe introductam, nec omnino de eo genere quicquam præcipiendum fuiſſe. Atq; illud quidem honeſtum, quod proprie uereq; dicitur, id in ſapientibus eſt ſolis, neq; à uirtute diuelli unquam poteſt. In his autem in quibus ſapientia perfecta non eſt, ipſũ illud quidem perfectum honeſtũ nullo modo eſſe poteſt, ſed ſimilitudines honeſti eſſe poſſũt. Hæc igitur omnia officia, de quibus his libris diſputamus, media Stoici appellant, & ea cõmunia ſunt, & late patent, quæ & ingenij bonitate multi aſſequũtur, & progreſſione diſcendi. Illud autẽ officium quod rectum ijdem appellant, perfectum, atq; abſolutum eſt, & (ut ijdem dicũt) omnes numeros habet, nec præter ſapientem cadere in quenquam poteſt. Cum autem aliquid actum eſt, in quo media officia comparantur id cumulate uidetur eſſe perfectum, propterea quod uulgus, quid abſit à perfecto ferè non ex toto intelligit, quatenus autem intelligit, nihil putat prætermiſſum. Quod autem in poematibus, & in picturis uſu uenit, in alijſq; compluribus, ut delectentur imperiti, laudentq; ea, quæ laudanda non ſint, ob eam credo cauſſam, quod inſit in his aliquid probi, quod capiat ignaros, qui quidem quid in unaquaq; re uitij ſit, nequeant iudicare. Itaq; cum ſint docti à peritis, facile deſiſtunt à ſententia. Hæc igitur officia (de quibus his libris diſſeremus) quaſi ſecũda quadã honeſta dicũt eſſe, non ſapientũ modo propria, ſed cum omni hominũ genere cõmunia.

ſo be they be not repugnaunt with vertue. Whiche for as moche as it is ſo / ſome men thynke that this comparyſon is not dyrectly brought in / nor any thynge ſhulde haue ben put in preceptes of this maner. And that honeſtye that is properly and trewly called honeſtye / that is onely in wyſe men / nor it can at any tyme be deuorſed fro vertue. In theſe in whome perfyte wyſdome is not / this ſame perfyte honeſtye may in no wyſe be / but they maye be reſemblaunce of honeſtye. Therfore all offyces of whome I haue diſputed in this bookes the ſcholers of Socrates call them meane, and they be commen and indifferent and euydently open / whiche alſo many do attayne to by goodneſſe of nature and by encreaſynge of lernynge. That offyce that they call ryght offyce / is perfyte and abſolute / and as theſe ſame Socrates ſcholers ſayth that honeſtye hath all perfectyon / nor it can chaunce to any man but to hym that is wyſe. But whan any thynge is doone wherin meane offyces are compared / that euydently ſemeth to be a perfyte offyce / bycauſe that the commen people almoſte vnderſtandeth not perfytely howe ferre it is dyſtaunte fro perfecyon. As ferre as he knoweth he iudgeth no thynge to be ouerpaſſed / whiche thynge chaunſeth in poemes and pyctures / and in many other thynges / ſo that vnlerned men maye delyte and prayſe thoſe thynges whiche are not to be prayſed. For that cauſe I thynke that ſome commendacyon is in them / whiche delyteth ignoraunt perſones that can not iudge what is a vyce in euery thynge. Therfore whan they be inſtructe of lerned men / anone they ceaſſe fro their opynion. Therfore theſe offyces wherof I dyſpute in theſe bookes / phyloſophers call theym as meane offyces or honeſtyes / not onely appropried to wyſe men but alſo indyfferent and commune to all maner of men.

Itaq; hi omnes in quibus eſt uirtutis indoles cōmouentur. Nec uero cum duo Decij, aut duo Scipiones fortes uiri commemorantur, aut cum Fabricius, aut Ariſtides iuſtus nominatur, aut ab illis fortitudinis, aut ab his iuſtitiæ tanq; à ſapiente petitur exemplum. Nemo enim horum ſic ſapiens eſt, ut ſapientem intelligi hic uolumus. Nec hi, qui ſapientes habiti ſunt & nominati M. Cato, & C. Lælius ſapientes fuerunt, nec illi quidem ſeptem, ſed ex mediorum officiorum frequentia, ſimilitudinem quandam gerebant, ſpeciemq; ſapientum. Quocirca nec id, quod uere honeſtum eſt, fas eſt cum utili repugnanti comparari, nec id, quod communiter appellamus honeſtum, quod colitur ab his, qui bonos uiros haberi ſe uolunt, cum emolumentis unquam eſt comparandum. Tanq; id honeſtum, quod in noſtram intelligentiam cadit, tuendum conſeruandumq; eſt nobis, q̃ id quod proprie dicitur, uereq; eſt honeſtum ſapientibus. Aliter enim teneri non poteſt, ſi qua ad uirtutem eſt facta progreſsio. Sed hoc quidem de his, qui conſeruatione officiorum exiſtimantur boni. Qui autem omnia metiuntur emolumentis & cōmodis, neq; ea uolunt præponderari honeſtati, hi ſolent in deliberando honeſtum cum eo, quod utile putant, comparare, boni uiri non ſolent. Itaq; exiſtimo Panætium, cum dixerit homines ſolere in comparatione dubitare, hoc ipſum ſenſiſſe quod dixerit, ſolere modo, non etiam oportere. Etenim non modo pluris putare, quod utile uideatur, quam quod honeſtum,

Wherfore all they in whome is any argument or tokē of vertue be moued withall. Nor where as the two Decius or two Scipions are named valyaunt men, or where as Fabricius or Ariſtides is called a iuſt man: eyther an example of manhode is take (as of a wyſe man) of them or els an example of iuſtyce of theſe. For none of them is ſo wyſe take for a wyſe man as I wyl haue them to be take here in this bookes/nor thoſe whiche are accompted and named wyſe mē. Marcus Cato/and Caius Lelius were wyſe men/nor thoſe ſeuen ſages of Athenes/but of ofte exerciſe of theſe meane offyces/they repreſented a certayne reſemblaunce and a faſſyon of wyſe men. wherfore it is not ryght that that thynge whiche is honeſt in dede to be compared with repugnaunce of that thyng that is profytable/nor that whiche we cōmenly call honeſty/and whiche is exercyſed of ſuche men whiche coueyte them ſelfe to be take for good and honeſt men/is to be compared at any tyme with profyte. And this honeſtye which chaunſeth to fall in to our knowlege muſte be defended and kept of vs/rather than that whiche is properly and in dede called honeſty of wyſe mē: for otherwyſe the progreſſe and approchyng to vertue (if any ſuche may be) can not be holde nor kepte. But this is ſpoken of ſuche men whiche be eſtemed good men/by reaſon of obſeruyng of the offyces. For they that meaſure all thynges after theyr owne profytes and cōmodytees/nor wyll ſuche thynges be wayed by honeſty/they are wonte in delyberacyon often to compare honeſty with that thynge whiche they iudge profytable. But good men are not ſo wonte. ¶ Therfore I thynke that Panecius where as he ſayd that mē are wonte to doubte in this comparyſon, that he iudged the ſelfe ſame thynge that he ſayde/that men are wonte to doubte alonely where as they ſhulde not doute. For it is ſhame not onely to eſteme that thynge to be of more value whiche is profytable than that whiche is honeſt/

ſed hæc etiam inter ſe comparare, & in his dubitare, turpiſsimum eſt. Quid eſt ergo quod nonnunquam addubitationem adferre ſoleat, conſyderandumq́; uideatur. Credo ſi quando dubitario accidit, quale ſit id de quo conſyderetur. Sæpe enim tempore ſit, ut quod plerunq; turpe haberi ſoleat, inueniatur non eſſe turpe. Exempli cauſſa ponatur aliquid, quod pateat latius, quod poteſt eſſe maius ſcelus, quam non modo hominem, ſed etiam familiarem occidere? Num igitur ſe obſtrinxit ſcelere, ſi quis tyrannum occidit, quamuis familiarem? Populo quidem Romano non uidetur, qui ex omnibus præclaris factis illud pulcherrimum exiſtimat. Vicit igitur utilitas honeſtatem, immo uero honeſtas utilitatem ſecuta eſt.

Formula preſcripta neq̄ nos falſa utilitatis ſpecies ab honeſtate abducat: ut iuſticiam uel ſolū, uel maximum bonū ſtatuamus, iniuſtitiā malorū maximū, nihil ad priuatū cōmodum ſed ad cōmunem ſocietatem referantur omnia.

ITaq; ut ſine ullo errore dijudicare poſsimus, ſi q̄n cū illo quod honeſtū intelligamus, pugnare id uidebitur, qđ appellamus utile, formula quædam diſputandi conſtituenda eſt, quam ſe ſequemur in comparatione rerū, ab officio nūquam recedemus. Erit autem hæc formula Stoicorum rationi, diſciplineq; maxime cōſentanea, quā quidē in his libris propterea ſequimur, qđ quanquā à ueteribus Academicis,

but it is a very greate reproche to compare theſe thynges/ and to doute in this thynges. what is it than that is neuer wonte to bringe dout/ and ſemeth to be conſydred. I ſuppoſe that if at any tyme doute dothe chaunce/ what maner of thynges it may be wherof conſyderacio̅ is had. for ofte it chaunſeth at a tyme that that thynge whiche co̅menly is wonte to be take in reproche/ maye be founde not to be in reproche/ as in example a caſe maye be put that is euydently open. What maye be a more heynous myſchefe than not onely to kyll a man/ but alſo thy companyon? Than whether or no is he gyltie of murder if a man haue kylled a tyraunt/ though he be his famylyer? The Romaynes thynke no/ which amonge all other valyaunt ieſtes eſteme that to be moſte excellent. Therfore profyte doth paſſe honeſtye/ ye ſurely honeſtye foloweth ſuche profyte.

¶ A forme is here preſcrybed/ leeſt at any tyme a falſe
colour of profyte myght deduce vs from honeſty/
and that we ſhall iudge iuſtyce eyther onely
good or els perfyte felycite/ iniury moſt
euyll of all euyls: and nothyng to be
referred to the priuate welthe,
but the co̅men welthe.

Therfore that we maye iudge and diſcerne without any erroure, if at any tyme that whiche we iudge profytable ſeme to repugne with that whiche we eſteme honeſt/ a certayne fourme muſte be aſſygned/ whiche if we ſhall folowe in reſemblaunce of thynges/ we ſhall neuer deflecte from offyce and honeſtye. This ſhall be the fourme accordynge to the opynyon of Socrates ſcholers/ and to their doctryne ſpecyally/ whiche opynyon in theſe bookes therfore we folowe bycauſe though of the olde ſcholers of Platoes ſchole/

& Peripateticis noſtris, qui quondam iidem erant, qui Academici, qui, quæ honeſta ſunt anteponunt his, quæ uidentur utilia, tamen ſplendidius hæc ab eis diſſeruntur, quibus quicquid honeſtum eſt, idem utile uidetur, nec utile quicquam, quod non honeſtum, quam ab his, quibus eſt honeſtum aliquod non utile, aut utile non honeſtum. Nobis autem noſtra Academia magnã licentiam dat, ut quodcunq; maxime probabile occurrat, id noſtro iure liceat defendere. Sed redeo ad formulam.

FORMVLA QVA OFFIcium cognoſcitur.

DEtrahere igitur aliquid alteri, & hominem hominis incommodo, ſuum augere commodum, magis eſt contra naturam, quam mors, quam paupertas, quam dolor, quam cætera, quæ poſſunt aut corpori accidere, aut rebus externis. Nam principio tollit conuictum humanum, & ſocietatem. Si enim ſic erimus adfecti, ut propter ſuum quiſq; emolumentum ſpoliet, aut uiolet alterum, diſrumpi neceſſe eſt eam, quæ maxime eſt ſecundum naturam humani generis, ſocietatem. Vt ſi unumquodq; membrum ſenſum hunc haberet, ut poſſe putaret ſe ualere, ſi proximi membri ualitudinem ad ſe traduxiſſet, debilitari, & interire totum corpus neceſſe eſſet. Sic ſi unuſquiſq; noſtrum rapiat ad ſe commoda aliorum, detrahatq; quod cuiq; poſſit, emolumenti ſui gratia, ſocietas hominum communitaſq; euertatur neceſſe eſt. Nam ſibi, ut quiſq; malit,

and of Aryſtotles ſcolers in our tyme / whiche Aryſtoteles folowers were in olde tyme of the ſame opinyō / wher of Platoes ſchole was / whiche prefer thoſe thynges that be honeſt before theſe that ſeme profytable / not withſtādynge theſe thynges be more euydently declared of the ſayd Aryſtotles ſcholers to whome what ſo euer is honeſt the ſame ſemed to them profytable / nor any thynge to be profytable that is not honeſt. Than of theſe mē to whom ſemeth ſomwhat that is honeſt not to be profytable / or els to whome that whiche is profytable not to be honeſt. But to vs in theſe dayes our ſchole gyueth great lybertye / ſo that what ſo euer ſemeth vnto vs moſte approued that we may of due ryght defende. But I returne nowe to the forme and faſſyon.

¶ The forme and faſſyon wherby honeſtie is knowen.

Therfore to take any thynge fro an other man & to gayne his profyte by the domage of an other man / is more agayne nature than dethe / thā pouertie / than ſorowe / than other incōmodytyes whiche may chaunce / eyther to oure body / or to exteryor thynges / for principally it taketh away the cōmen lyuyng & company of mē. For if we ſhall be ſo affectionate that euery mā ſhall ſpoyle & robbe for his owne auātage / or diffame an other man / it is neceſſary that the cōpany of mankynde muſt diſſolue and breake a ſondre / whiche is ſpecially engendred after goodnes of nature. So that if euery mēbre had his knowlege that he thought that he hym ſelfe ſhulde be in helthe if ſo be he had take away to hym ſelfe the welthe & helth of an other membre / it muſt nedes folowe that al the hole body ſhulde be enfebled & diſtroyed. In lyke maner euery one of vs, if we ſhuld robbe & ſpoyle to his priuate vſe the profytes of other mē / & plucke fro euery man all that he [illegible] bycauſe of his ſyngler auayle / it nedes muſt folowe that ŷ cōpany of mē togyder ſhalbe turned vp ſo downe. For it is lawfull that euery man had leuer to aduaūce hym ſelfe

quod ad uſum uitæ pertineat, quam alteri acquirere conceſſum eſt, non repugnante natura. Illud quidẽ natura non patitur, ut aliorum ſpolijs noſtras facultates, copias, opes augeamus. Neq; uero hoc ſolũ natura iure gẽtium, ſed etiam legibus populorũ, quibus in ſingulis ciuitatibus. Reſpu. continentur, eodem modo conſtitutũ eſt, ut non liceret ſui cõmodi cauſſa nocere alteri. Hoc enim ſpectant leges, hoc uolunt incolumen eſſe ciuium coniũctionem. Quam qui dirimunt, eos morte, exilijs, uinculis, damno coherent. Atq; hoc multo magis exigit ipſa naturæ ratio, quæ eſt lex diuina, & humana, cui parere qui uelit, omnes autem parebũt, qui ſecundum naturam uolunt uiuere, nunquam cõmittet, ut alienum adpetat, & id, quod alteri detraxerit, ſibi adſumat. Etenim multo magis eſt ſecundum naturam celſitas animi & magnitudo, itemq; cõmunitas, iuſtitia, liberalitas, quam uoluptas, quam uita, quam diuitiæ. Quæ quidem cõtemnere, & pro nihilo ducere, comparãtem cum utilitate cõmuni, magnanimi & excelſi eſt. Detrahere autem alteri ſui cõmodi cauſſa, magis eſt contra naturam, quam mors, quam dolor, quam cætera generis eiuſdem. Itemq; magis eſt ſecundũ naturam pro omnibus gentibus, ſi fieri poſſit, conſeruandis, aut iuuandis maximos labores, moleſtiasq; ſuſcipere, imitantem Herculem illũ, quem hominum fama beneficiorum memor, in concilio cœleſtiũ collocauit, quam uiuere in ſolitudine, non modo ſine ullius moleſtijs, ſed etiam in maximis uoluptatibus, abundantem omnibus copijs,

that whiche concerneth the vſe of this lyſe than an ot
ther man/ and the lawe of nature ſo requyreth. Nature
dothe not permytte this / that we maye encreaſe with
ſpoyles of other our ſubſtaunce / goodes / and rycheſſe/
nor that it is laufull onely by lawe of nature/ the cōmen
lawe / but alſo by lawe ciuyle/ wherby in euery cytie the
commen welth is kepte. In lyke maner it is ordayned
that it ſhulde not be laufull for any man to hurt an other
bycauſe of his priuate welthe: for the lawes reſpect this,
and wylleth this that the companye of cytezyns ſhulde
proſpere and ſtande hole. Whiche companye they that
diſſolue and breake/ the lawes correcteth them with deth
with banyſſhment / empriſonment / and domage of loſſe
of goodes. And this thynge the ſelfe ſame moche more
requyreth whiche is the lawe of god and man/ wher vn-
to he that wyll obey (for euery man ſhall obey whiche
wyll lyue after the lawe of nature) ſhall neuer offende/
that he ſhall coueyte other mennes goodes / nor take to
his vſe that he hath take from an other. For the hygh-
neſſe and boldneſſe of the ſtomacke is moche more acor-
dynge to nature / and alſo company / iuſtyce / and lybe-
ralytye/ than pleaſure/ than lyfe/ than rycheſſe: whiche
pleaſure/lyfe / and rycheſſe to diſpyſe and to accompte
as naught hym that compareth theym with a commen
welthe / is the propertye of a manly and an excellente
herte. To embeſyle from an other man bycauſe of ſyn-
guler auayle / is more contrary to nature than dethe/
than ſorowe / or than any other thynges of lyke maner.
And alſo it is more accordyng to nature for all maner of
people (if it maye be) to be kept and holpen/ that we ſhall
take very great laboures and paynes / folowynge Her-
cules/ whome the cōmen fame of men/ remembrynge his
benefytes dyd appoynt and ſet in the cōpany of goddes
than to lyue ſoole alone/ not onely without any greuāce
but alſo in moſte pleaſures to habundāce of al rycheſſe,

ut excellas etiam pulchritudine & uiribus. Quocirca optimo quiſq; ſplendidiſsimaq; ĩgenio longe illam uitam huic anteponit. Ex quo efficitur, hominem naturæ obedientem, homini nocere non poſſe. Deinde qui alterum uiolat, ut ipſe aliquid commodi conſequatur, aut nihil ſe exiſtimat contra naturam facere, aut magis fugiendam cenſet mortem, paupertatem, dolorem, amiſsionem etiam liberorum propinquorum, amicorum, quam facere cuiquam iniuriam. Si nihil exiſtimat contra naturam fieri in hominibus uiolandis quod cum eo diſſeras, qui omnino hominem ex homine tollat? Sin fugiendum id quidem cenſet, & multo illa peiora mortem, paupertatem, dolorem, errat in eo, quod ullum aut corporis, aut fortunæ uitium, anime uitijs grauius exiſtimat. Ergo unum debet eſſe omnibus propoſitum, ut & eadem ſit utilitas uniuſcuiuſq; & uniuerſorum, quam, ſi ad ſe quiſq; rapiat, diſſoluetur omnis humana conſociatiatio. Atq; ſi etiam hoc natura præſcribit, ut homo homini quicunq; ſit, ob eam ipſam cauſſam, tamen quod is homo ſit, conſultum uelit, neceſſe eſt ſecundum eandem naturam omnium utilitatem eſſe communem. Quod ſi ita eſt, una continemur omnes, & eadem lege naturæ. Idq; ipſum ſi ita eſt, certe uiolare alterum lege naturæ prohibemur. Verũ autem primum, uerum igitur & extremũ. Nam illud quidem abſurdũ eſt, quod quidam dicunt, parent ſe, aut fratri nihil detracturos commodi ſui cauſſa, ſed aliam rationem eſſe ciuium, aliam reliquorum, hi ſibi nihil iuris.

that thou maye excell all other in beautye and valyaunce/wherfore euery man excellent and freſſhe of wytte preferreth that lyfe before this. wherof is concluded that a man obeyeng to nature maye not hurte an other man. Ferther he that hurteth an other man for the entent he maye gayne any vauntage / eyther he iudgeth that he dothe nothyng agayne nature / or els he iudgeth rather that dethe ſhulde be fled/pouertie/ſorowe/alſo loſſe of his chyldren/nye kynneſmen and frendes than to do iniury to any man. But if he iudge nothynge to be done agayne nature in hyndraunce of other men / what ſhulde thou diſpute with hym whiche deuorſeth man fro man? Or if he iudge this vyce to be fled/and that theſe other, dethe, pouertye/and ſorowe be moche worſe / he erreth in that thynge that he eſteemeth no vyce eyther of body or fortune more greuous than the vyces of the ſoule. Therfore one thynge muſte be appoynted to all men/ that the ſelfe ſame profyte that is of euery priuate perſone is cōmen profyte/ which profyte if euery man plucke to hym ſelfe all comforte of man is diſſolued a ſondre. And if ſo be nature preſcrybe this that one mā (what ſo euer he be) wylleth that an other ſhulde do well/for this ſelfe conſyderacyon that he is a man as an other is / it is neceſſary after the ſame nature that profyte of all men be commen and indyfferent/ whiche if it be ſo we be contayned all vnder one lawe/ & the ſame lawe of nature:and if the ſelfe ſame thynge be ſo we be forbyd by lawe of nature to hurte an other man. The fyrſt is trewe/therfore the laſte is trewe. For this is deteſtable that ſome men ſaye that they wyll take away nothynge fro their father or their brother bycauſe of their priuate ꝓfyte/but they ſay an other reſpect is to be had of other cytezyns. Those mē iudge no lawe/

& nullam ſocietatem communis utilitatis cauſſa, ſtatuunt eſſe cum ciuibus, quæ ſentẽtia omnem ſocietatem diſtrahit ciuitatis. Qui autem ciuiũ rationem dicunt eſſe habendam, externorum negant, hi diriment cõmunem humani generis ſocietatem, qua ſublata, beneficẽtia, liberalitas, bonitas, iuſtitia, funditus tollitur, quæ qui tollunt, etiã aduerſus Deos immortales impij iudicandi ſunt, ab his enim conſtitutam inter homines ſocietatem euertũt. Cuius ſocietatis arctiſſimum uinculum eſt, magis arbitrare eſſe contra naturam hominẽ homini detrahere ſui cõmodi cauſſa, quam omnia incommoda ſubire, uel externa, uel corporis, uel etiam ipſius animi, quæ uacent iuſtitia. Hæc enim uirtus, omniũ eſt domina, & regina uirtutũ. Forſitan quiſpiam dixerit, nonne igitur ſapiens, ſi fame ipſe conſiciatur, abſtulerit cibum alteri homini ad nullam rem utili? Minime uero. Non enim mihi eſt uita mea utilior, quam animi talis adfectio, neminem ut uiolem cõmodi mei gratia. Quid ſi Phalarim crudelem tyrannũ, & immanem, uir bonus, ne ipſe frigore cõſiciatur, ueſtitu ſpoliare poßit, nonne faciat? Hæc ad iudicandum ſunt facillima. Nam ſi quid ab homine, ad nullam partem utili, tuæ utilitatis cauſſa detraxeris, inhumane feceris, contraq; naturæ legem. Sin autem is tu ſis, qui multam utilitatem Reipu. atq; hominum ſocietati, ſi in uita remaneas, adferre poßis, ſi quid ob eam cauſam alteri detraxeris, non ſit reprehendendum. Sin autem id non ſit eiuſmodi, ſuum cuiq; incommodũ ferendum eſt potius,

ye companye of men (in amytie to be with the cytezyns) for the commen welthe ſake / whiche oppynyon dothe breke a ſonder all the felowſhyp and vnytye of a cytye. They that ſaye that regarde of cytezyns is to be had / and denye the reſpecte of ſtraungers / they dyuorſe and ſeparate the commen companye of mankynde / whiche withdrawen / bou͂tyfulneſſe / lyberalytie / goodneſſe / and iuſtyce be vtterly take awaye, whiche thynges if they take awaye / they alſo are to be iudged agaynſt goddes immortall / for they ſubuerte among men all vnytye of good company. Of the which vnytye the bonde is moſte ſtrayte / ſo that it is thought to be agayne nature that one man ſhulde take from an other man bycauſe of his owne profyte, rather than to ſuffer all incommodytyes / ye eyther exteryour of the body / as pouertye / exyle / or els of the ſoule / whiche thynges be without iuſtyce / for that vertue iuſtyce is lady and quene of all vertues. Peraduenture a man maye ſaye / whether or no is he a wyſe man if he be lyke to peryſſhe for hunger / and take from an other man his meate, whiche man is profytable or apte to no thynge? No verply: for my lyfe is not more profyte to me than ſuche affection of mynde / that I do no man wronge bycauſe of my profyte. What if a good man coulde ſpoyle fro Phalaris that cruell and myghty tyraunt his apparayle ſo that he ſhulde not ſterue for colde / myght not he do it? These thynges be eaſye to iudge: For if thou take any thynge fro a man that is apte and profytable to nothyng / bycauſe of thyne owne auayle / thou doeſt vngentylly and agayne the lawe of nature. But if thou be the man that maye bringe great profyte to the commen welthe and to the companye of men / if thou maye contynue thy lyfe / if ſo be thou take from an other man any thynge for this conſyderacyon / it is not to be reproued. But if ſo be it be not ſo, euery man muſte ſtycke with his owne incommodytes

quam de alterius cõmodis ſubtrahendum. Non igitur magis eſt contra naturam morbus, aut egeſtas, aut quid eiuſmodi, quam detractio, atq; appetitio alieni. Sed communis utilitatis detractio contra naturam eſt, eſt enim iniuſta. Itaq; lex ipſa naturæ, quæ utilitatem hominum conſeruat, & continet, decernit profecto, ut ab homine inerti atq; inutili, ad ſapientem bonum, fortemq; uirum transferantur res ad uiuendum neceſſariæ. Qui ſi occiderit, multũ de communi utilitate detraxerit, modo hoc ita faciat, ut ne ipſe de ſe bene exiſtimans, ſeſeq; diligens, hanc cauſſam habeat ad iniuriam. Itaq; ſemper officio fungetur, utilitati conſulens hominum, & ei (quam ipſe cõmemoro) humanæ ſocietati. Nam quid ad Phalarim attinet, perfacile iudicium eſt. Nulla eſt enim ſocietas nobis cum tyrannis, ſed potius ſumma diſtractio eſt, neq; eſt contra naturam, ſpoliare eum ſi poßis, quem honeſtũ eſt necare. Atq; hoc omne genus peſtiferũ, atq; impium, ex hominũ cõmunitate exterminandũ eſt. Etenim ut mẽbra quædam amputantur, ſi & ipſa ſanguine, tanquã ſpiritu carere cœperint, & nocent reliquis partibus corporis, ſic iſta in figura hominis feritas, & immanitas beluæ, à cõmuni tanquam humanitate corporis ſegregãda eſt. Huius generis ſunt quæſtiones hæ, in quibus ex tempore officiũ exquirimus. Eiuſmodi igitur credo res, Panætiũ perſecuturũ fuiſſe, niſi alias caſus, aut occupatio conſiliũ eius peremiſſet. Ad quas ipſas conſultationes, ex ſuperioribus libris ſatis multa præcepta ſunt,

rather then plucke fro an other man any parte of his [illegible]. Therfore ſykeneſſe of povertye or any thynge [illegible] is not more agaynſt nature than ſubſtraction and [illegible] of other mennes good. But the neclygent ouerſkyppynge of the commen welthe is agaynſt nature / it is vniuſt. Therfore the lawe of nature whiche ſaueth and kepeth the commen profyte of men / decreeth ſurelye that neceſſarye goodes to lyue ſhall be take fro a daſterde and a man vnprofytable to the vſe of a wyſe man / a good man / and a valyaunt man / whiche man yf he ſhulde dye he maye take awaye with hym muche of the commen profyte / ſo that he do this for the cauſe that he not greatly eſtemynge hym ſelfe and louynge hym ſelfe haue this conſyderacyon to do iniurye. Therfore lette hym at all tymes vſe his offyce regardynge the commen profyte / alſo that thynge wherof I make mencyon / the companye of men to be contynued. For that whiche belongeth to Phalaris is eaſy to iudge. For we haue no conuerſacyon with tyrauntes / but rather vtterly reſtraynte fro them / nor it is agaynſt nature to robbe hym (yf thou can) whome to kyll is honeſtye. And all this poyſonfull and wycked maner is to be banyſſhed fro the company of man. For as ſome membres be cutte of if they begynne to lacke bothe bloode, and as who ſayth lyfe / they hurte other partes of the body. So this in the forme of man crueltye and woodneſſe of a beeſtly [illegible] muſt be ſeparate lyke wyſe fro the body (as who ſayth) of mankynde. Of this maner theſe queſtyons there be / wherin offyce and honeſtye is ſought out after the circumſtaunce & qualytie of tyme. Therfore I thynke that Panecius entended that he wolde fynyſſhe ſuche queſtyons / ſo that another chaūce or buſynes dyd let him in his purpoſe. To the which ſelfe queſtyons & conſultacyons of the ſuperioure bokes many thīges be ſuffyciētly diſputed,

quibus perſpici poßit, quid ſit propter turpitudinem fugiendum, quid ſit id quod idcirco fugiendum non ſit, quia omnino turpe non eſt. Sed quoniam operi inchoato prope tamen abſoluto tanquam faſtigium imponimus, ut Geometre ſolent non omnia docere, ſed poſtulare, ut quædam ſibi concedantur, quo facilius, quæ uelint explicent. Sic ego à te poſtulo mi Cicero, ut mihi concedas (ſi potes) nihil præter id, quod honeſtum ſit, eſſe propter ſe expetendum. Sin hoc non licet, propter Cratippum, at illud certe dabis, quod honeſtum ſit, id eſſe maxime propter ſe expetendum. Mihi utrumuis ſatis eſt, & tum hoc, tum illud probabilius uidetur, nec præterea quicquam probabile. At primũ Panætius in hoc libro defendendus eſt, quod nõ utilia, cum honeſtis pugnare dixerit aliquando poſſe (neq; enim ei fas erat) ſed ea, quæ uidentur utilia. Nihil uero utile, quod non idem honeſtum, nec honeſtum, quod non idem utile ſit ſæpe teſtatur, negatũ ullam peſtem maiorem in uitam hominum inuaſiſſe, quam eorum opinionem, qui iſta diſtraxerint. Itaq; non ut aliquando anteponeremus utilia honeſtis, ſed ut ea ſine errore diiudicaremus, ſi quando incidiſſent, induxit nam quæ uideretur eſſe, non quæ eſſet repugnantiam. Hanc igitur partem relictam explebimus, nullius adminiculis, ſed (ut dicitur) marte noſtro. Neq; enim quicquam de hac parte poſt Panætium explicatum eſt, quod mihi probaretur de his, quæ in manus noſtras uenerunt.

wherby it maye be perceyued what is to be fledde for dyſhoneſtye/what is that thynge which therfore is not to be fledde for dyſhoneſtye/what is that thynge whiche therfore is not to be fledde bycauſe vtterly it is not diſhoneſty. But for as moche as I make an ende (as a man that layeth a rofe of an houſe) of this worke begon / and yet not withſtandynge almoſte fynyſſhed / lyke as geometres are wonte not to teache all but to aſke for the ende that certayne propoſycions maye be graunted to them / wherby they maye the eaſyerly expreſſe their entent. So I my ſonne Cicero aſke of the that thou graunt me (if thou can) nothynge but that whiche is honeſt to be deſyred for hym ſelfe: But if that maye not be for Cratippus / yet this thou ſhalte graunte me that that thynge whiche is honeſt ſpecyally is to be deſyred for it ſelfe/it is ynough to me whether thou wylt/and whether this or that ſemeth better to be alowed/nor any thynge beſyde this to be alowed. But pryncypally Panecius in his booke is to be defended / bycauſe he ſayde not that profytable thynges maye ſomtyme repugne with honeſt thynges (nor he myght do it) but ſuche thynges as ſemeth profytable. There is nothynge profytable whiche ſelfe thynge is not honeſt/nor honeſt whiche ſelfe ſame thyng is not profytable. He ofte teſtyfyeth and denyeth that any poyſon greater hath entred in to the lyfe of men than the opynyon of them whiche haue deuyded this thynges. Therfore I wolde not (as I dyd ſomtyme) preferre profyte before honeſty, but that I ſhulde diſcerne without errour thoſe thynges/if they chaūce at any tyme. Panecius brought in that repugnaunce that ſemed to be/not that which was in dede. Therfore I wyll ſupplye that parte lefte imperfyte by no ayde of any other man/but (as it is ſayde cōmenly) by myne owne polycye. For nothyng in this behalfe after Panecius tyme was manefeſtly declared that I myght alowe/of theſe thynges whiche came to my handes,

PRAECEPTVM NE QVID ducamus utile, quod cum turpitudine coniunctum eſt.

CVm igitur aliqua ſpecies utilitatis obiecta eſt, non commoueri neceſſe eſt. Sed ſi cum animum attenderis, turpitudinem uides adiunctam ei rei, quæ ſpeciem utilitatis attulerit, tunc utilitas non requirenda eſt, ſed intelligendum ubi turpitudo ſit, ubi utilitatem eſſe nõ poſſe. Quod ſi nihil eſt tam contra naturam, quam turpitudo (recta enim & conuenientia, & conſtantia, natura deſyderat, aſpernaturq; contraria nihilq; tam ſecundum naturam, q̃ utilitas) certe in eadem re utili, turpitudo eſſe non poteſt. Itemq; ſi ad honeſtatem nati ſumus, eaq; aut ſola expetẽda eſt, ut Zenoni eſt uiſum, aut certe omni pondere grauior eſt habenda, quam reliqua omnia, quod Ariſtoteli placet, neceſſe eſt quod honeſtum ſit, id eſſe aut ſolum aut ſummum bonum, quod autem bonum, id certe utile. Ita quicquid honeſtum, id utile. Quare error hominum non proborum, cum aliquid, quod utile uiſum eſt arripuit, id continuo ſecernit ab honeſto. Hinc ſicæ, hinc uenena, hinc falſa teſtamenta naſcuntur, hinc furta, hinc peculatus, expilationes, direptioneſq; ſociorum & ciuium. Hinc opum nimiarum potentiæ non ferendæ. Poſtremo etiam in liberis ciuitatibus exiſtunt regnandi cupiditates, quibus nihil nec tetrius, nec fœdius excogitari poteſt.

¶here Tully declareth that no thynge is profytable that cōmeth out of iniurye and malyce/and that no cōmodyte be it neuer ſo great though it be vnpunyſſhed at all lybertie/ſhulde moue vs that we ſhulde not dygreſſe/no not a iote fro honeſtye/without the which honeſty all is but nought and leude.

Wherfore whan any reſemblaunce of profyte dothe appere by obiect / it is neceſſary that we be moued. But if ſo be thou conſydre well in thy mynde thou maye ſe reproche ioyned therto/which induceth a ſymylitude of profyte/than profyte is not to be requyred: but it is to be conſydred where repoche maye be / there profyte can not be: Therfore if ſo be nothyng is ſo moche agayne nature as diſhoneſty/for nature deſyreth ryght & iuſt thynges/alſo conuenyent & conſtaunt/and abhorreth the contrary/& nothyng is ſo agreyng to nature as profyte: ſurely in the ſame profytable thyng diſhoneſty can not be. And ferther if we be borne to honeſty/ and that eyther only is to be deſyred(as zeno iudgeth)or ſurely it is more to be pondred than any thynge of weyght / than all other thynges(after the mynde of Aryſtotle)than it foloweth neceſſarily that that thynge whiche is honeſt is eyther onely good or els perfyte felycite. That thyng whiche is good is ſurely profytable/ſo lykewyſe what ſo euer is honeſt that ſame is profytable. wherfore therrour of lyght men in iugemēt hath take ſomwhat that appereth profytable/& deuydeth out of hande that profyte from honeſty. Therof roſe bearyng of ſkeynes & murdrers/therof poyſonyng/therof forged teſtamētes/therof robberyes/ therof pollyng & ſhauyng & pyllage of ẏ cōmentye/ and ſpoylyng of our company & citezyns. Therof hye authorities of excedyng rycheſſe intollerable. And to conclude/ deſyre to rule in free cytyes do aryſe/ than the which nothynge more abhomynable/more cruell may be ymagyned. For they ſe and perceyue profytes by falſe iudgementes

Emolumenta enim rerum fallacibus iudicijs, uident pœnā (non dico legum, quas ſæpe perrumpũt, ſed ipſius turpitudinis, quæ acerbiſſima eſt) non uidẽt. Quamobrẽ hoc quidem deliberantiũ genus pellatur è medio. Eſt enim totum ſceleratum & impium, qui deliberāt utrum id aſſequantur, quod honeſtũ eſſe uideant, an ſe ſcientes ſcelere contaminẽt. In ipſa enim dubitatione facinus ineſt, etiā ſi ad id non peruenerit. Ergo ea deliberanda omnino non ſũt, in quibus eſt turpis ipſa deliberatio. Atq; etiam in omni deliberatiõe celandi & occultandi ſpes, opinioq; remouenda eſt. Satis enim nobis (ſi modo in Philoſophia aliquid ꝓfecimus) perſuaſum eſſe debet, ſi omnes deos homineſque celare poſſimus, nihil tamen auare, nihil iniuſte, nihil libidinoſe, nihil incõtinenter eſſe faciendũ. Hinc ille Gyges inducitur à Platone, qui cũ terra diſceſſiſſet, magnis quibuſdā imbribus in illum hiatũ deſcendit, aeneumq; equum (ut ferunt fabulæ) animaduertit, cuius in lateribus fores eſſẽt, quibus apertis, hominis mortui uidit corpus magnitudine inuſitata, annulumq; aureũ in digito, quẽ ut detraxit, ipſe induit, erat autem regius paſtor. Tum in conciliũ paſtorum ſe recepit, ibi cũ palam eius annuli ad palmam cõuerterat, à nullo uidebatur, ipſe autem oĩa uidebat. Idem rurſus uidebatur cum in locum annulum inuerterat. Itaq; hac oportunitate annuli uſus, regine ſtuprum intulit, eaque adiutrice, regem dominum interemit, ſuſtulitq; quos obſtare arbitrabatur, nec in his quiſquam eum facinoribus potuit uidere.

They ſe not the payne/ I ſay not of the lawe whiche ofte they breake/but of the ſelfe ſame reproche which is moſt greuous. wherfore let this maner of delyberacion be expelled fro the companye of men /for it is holly myſcheuous & wicked/ which take delyberacion whether they may attayne to that thyng which they may ſe to be honeſt/or els they wetyngly diſtayne them ſelfe with myſchefe. For in this doutyng is a myſchefe/ye though it come not to effecte. Therfore ſuche thynges are not vtterly to be had in delyberacion or queſtyon wherin the ſelfe ſame delyberacyon is leude and inhoneſt/ and alſo in euery delyberacyon the hope and opynyon to concele and hyde is to be auoyded. we muſt be ſuffyciently aſſerteyned(if ſo be we wyll preuayle in phyloſophye)that if ſo be we maye concele from all goddes and men, that we ſhulde do nothyng by couetyſe/nothynge iniuſtly/nothynge wantonly / nothyng incōtynently. Therfore the king Gyges is brought in by Plato/ whiche whan the erthe dyd chyne and gape by reaſon of certayne great ſtormes/he went downe l to that great chyne and gappe and dyd ſe an horſe of braſſe (as hyſtories dothe tell)in whoſe ſydes gates were, which ſet opon he ſawe the body of a deed man of that quantyte whiche hath not be ſene/and a golde rynge vpon his fynger / whiche after Gyges plucked of he put it vpon his fynger / for he was the kynges graſper that tyme and accompanyed hym ſelf amonge ſhepherdes. And whan he had turned the ouer parte of that rynge towarde the palme of his hande / he was perceyued and ſene of no man/but he hymſelfe dyd ſe all thynges / and he agayne whan he tourned the rynge to his due place was euydently ſene. And ſo he vſynge the oportunyte and propertye of this rynge abuſed the quene / and by her ayde ſlewe the kynge / and he put out of the way all ſuche as he thought to be agayne hym,/ nor any perſone coulde eſpye hym in ſuche myſcheuous doynge.

Sic repente annuli beneficio rex ortus eſt Lydiæ. Hunc igitur ipſum annulum ſi habeat ſapiens, nihil plus ſibi licere putet peccare, q̃ ſi non haberet. Honeſta enim bonis uiris, non occulta quæruntur. Atq; hoc loco philoſophi quidem minime mali illi quidem, ſed non ſatis acuti, fictam & commentiam fabulam dicunt prolatam à Platone, quaſi uero, ille aut factum id eſſe, aut fieri potuiſſe defendat. Hæc eſt uis huius annuli, & huius exempli, ſi nemo ſciturus, nemoue ſuſpicaturus quidem ſit, cum aliquid diuitiarum potentiæ, dominationis, libidinis cauſſa feceris, ſi id Dijs, hominibuſq; futurum ſit ſemper ignotum, ſis ne facturus? negant id fieri poſſe, quamquam poteſt id quidem. Sed quæro quod negãt fieri poſſe, id ſi poſſet, quid nã facerent? urgẽt ruſtice ſanè, negãt enim poſſe, & in eo perſtat. Hoc uerbũ quid ualeat non uident. Cum enim quærimus ſi poßint celare, quid facturi ſunt, non quærimus poßint ne celare, ſed tanq̃ tormẽta quædam adhibemus, ut ſi reſponderint ſe impunitate propoſita facturos quod expediat, facinoroſos ſe eſſe fateatur, ſi negent, omnia turpia per ſe ipſa fugienda eſſe, cõcedant. Sed iam ad propoſitũ reuertamur. Incidũt ſæpe multe cauſſæ, quæ conturbãt animos utilitatis ſpecie, non cum hoc deliberetur, relinquenda ne ſit honeſtas propter utilitatis magnitudinem (nam id quidem improbum eſt) ſed illud, poßit ne id, quod utile uideatur fieri non turpiter. Cum Collatino Tarquinio collega Brutus imperium abrogabat, poterat uideri facere id iniuſte.

And ſo ſodaynly by vertue of that rynge he became kyng of Lydia. Therfore if any wyſe mā may haue this rynge let hym not iudge that he hath more lybertye to offende than if he had it not/for honeſt and not cloked maters be ſought for of honeſt and good men. And in this caſe ſome phyloſophers/and they not of the euyll ſorte/but yet not quycke ynough/ſay that this made and counterfayte fable was put forthe by Plato as though he maye defende that thyng eyther to be done/or els that it may be done. This is the vertue of this rynge and of his example/if no man ſhall knowe/no man ſhall ſuſpecte whā thou haſt done any thynge bycauſe of rycheſſe/power/gouernaūce or pleaſure/if ſo be this ſhulde be vnknowen to god and man mayſte thou do it? they denye that it maye be done/albeit it maye chaunce. But I wyll demaunde bycauſe they denye that it maye be/if it may be what wolde they do? They ſtande ſtyffe and rudely in their opynyon/for they denye that it maye be/and they ſtande faſte in that/and they ſe not the effycacye of this worde maye. For whan we enquyre whether they can concele what they wyll do/we aſke not whether they can concele and hyde/but we mynyſter to them (as they ſay) prickes or inſtymulacions. So if they make anſwere that they wyll ſo do/indemnyte to them graunted/that than it is neceſſarye that they ſhall graunt them ſelf to be malefactours/but if they denye that they wyll do ſo/they may than graunt that all vylanye ſhulde be auoyded for his owne vyleneſſe. But lette me nowe retourne to my purpoſe. Ofte many cauſes chaūce whiche troubleth the myndes of mē vnder the colour of profyte/not whan this is take in delyberacyō whether that honeſty ſhulde be left a parte for the great aduauntage of profyte (for that were not laudable) but of this delyberacyon is take/whether that whiche maye ſeme profytable maye be doone without dyſhoneſty. what tyme Brutus depoſed Collatinus Tarquinius his felowe in authorytye fro the roume of a conſul/it myght haue appered that he dyd that wrongfully.

fuerat enim in regibus expellendis ſocius Bruti, conſiliorum etiam adiutor. Cum autem conſilium hoc principes cepiſſent, cognitionem Superbi nomenq; Tarquiniorum, & memoriam regni eſſe tollendam, quod erat utile patriæ conſulere, id erat ita honeſtum, ut etiam ipſi Collatino placere deberet. Itaq; utilitas ualuit propter honeſtatem, ſine qua nec utilitas quidem eſſe potuiſſet. At in eo rege, qui urbem condidit, non ita. Species enim utilitatis animum pepulit eius, cui cum uſum eſſet utilius ſolum ſe, quam cum altero regnare, fratrem interemit. Omiſit hic & pietatem, & humanitatem, ut id quod utile uidebatur neq; erat, aſſequi poſſet, & tamen muri cauſſam oppoſuit ſpeciem honeſtatis, nec probabilem, nec ſatis idoneam. Peccauit igitur pace uel Quirini, uel Romuli dixerim.

PROPRIA COMMODA ſine aliorum iniuria quæramus.

NEc tamen noſtræ nobis utilitates omittendæ ſunt, aliiſq; tradendæ, cum his ipſi egeamus, ſed ſuæ cuique utilitati, quod ſine alterius iniuria fiat ſeruiendum eſt. Scite Chryſippus (ut multa) qui ſtadium inquit cucurrerit, eniti & contendere debet quam maxime poßit, ut uincat, ſupplantare eum, qui cum certet, at manu depellere nullo modo debet. Sic in uita ſibi quenq; petere, quod pertineat ad uſum, non iniquum eſt, alteri ſubripere, ius nõ eſt.

for Collatynus was felowe to Brutus in the expulſyon of kynges / and an ayder of his counſayles whan the chefe heedes of the cyte tooke this counſayle that the bloode of Superbus and the name of Tarquinius/ and the memorye of his reygne ſhulde be take awaye/ which was profytable to prouyde well for his countrey / that was ſo honeſt that it ſhulde pleaſe Colatinus hym ſelfe. And ſo profyte preuayled for bycauſe of honeſty / without the which honeſtye profyte maye not be. But in that kyng that buylded the cytie of Rome it chaunſed not ſo/ for the apparence of profyte moued his mynde ſo / to whom what it ſemed more profyte that he ſhulde reigne alone rather than an other / he ſlewe his owne brother. He lette paſſe bothe pytie and humanytie / for the entent that thynge that appered profytable and was not ſo / he myght ſo optayne / and yet he allegate for hym the ſcalynge of the walles as a coloure of honeſtye / neyther to be dyſalowed/ nor yet a cauſe conuenyent ynough. Therfore he dyd a myſſe I maye ryght well ſaye/ by fauoure eyther of Quirinus or els of Romulus/ whether that ye call hym.

¶ Howe ferre it is lawfull for any man to folowe his ſynguler auayle

NOt witſtandynge our profytes are not to be ouerſlypped and to be gyue to other men / whā we haue nede of theym our ſelfe / but euery man muſte ſeke his owne profyte/ if it maye be done without the iniurye of an other man. Chriſippus ſayd wyſely this as many other thynges / he that ronneth (he ſaythe) a courſe muſte contende as moche as he can that he may ouercome/ but in no wyſe he ought to threſt downe that man that proueth mayſtryes with hym/ or put hym of with his hande. So in this lyfe it is not wronge for any man to requyre that thynge that pertayneth to his aduauntage, but it is not lawfull to ſpoyle from an other man.

IN AMICITIA QVANTVM utilitati amicorū tribuendum ſit, ſcite Pericles, uſq; ad aras gratificandum amicis.

MAxime autē perturbantur officia in amicitijs, quibus & non tribuere, quod recte poſſis, & tribuere quod non ſit æquum, contra officium eſt. Sed huius generis totius breue & non difficile præceptum eſt. Quæ enim uidentur utilia, honores, diuitiæ, uoluptates, & cætera generis eiuſdem; hæc amicitiæ nunquam anteponenda ſunt. At neq; contra Rempubl. neq; contra iuſiurandum, ac fidē amici ſui cauſſa uir bonus faciet, nec ſi iudex quidem erit, de ipſo amico. Ponit enim perſonam amici, cum induit iudicis, tantum dabit amicitiæ, ut ueram amici cauſſam eſſe malit; ut perorandæ litis temporis quod per leges liceat, accommodet. Cum uero iurato dicenda ſententia ſit, meminerit deum ſe adhebere teſtem, id eſt (ut arbitror) mētem ſuam, qua nihil homini dedit ipſe deus diuinius. Itaq; preclarum à maioribus accepimus morem rogandi iudicis, ſi eum teneremus, quæ ſalua fide facere poſſit. Hæc rogatio ad ea pertinet, quæ paulo ante dixi, honeſta amico à iudice poſſe concedi. Nam ſi omnia facienda ſint, quæ amici uelint, non amicitiæ tales, ſed coniurationes putandæ ſunt. Loquor autem de communibus amicitijs. Nam in ſapientibus uiris, atq; perfectis, nihil poteſt eſſe tale.

¶ A forme and a faſſion in amytie and loue is that beneuolence of a frende muſt alwayes be applyed to honeſtye and promeſſe muſt be kept though very great hyndraunce enſue therof. In cōmen welthes we muſt do for our frendes as ferforth as conſciēce and reſpecte of honeſty ſuffreth/but ſo that no inhoneſt thynge be deſyred of a frende / or be graunted to hym that aſketh.

Offyces be moſt put out of order in amyties and loues/to the which amytye not gyue that which thou may wel gyue/a to gyue that which is not right is agayns offyce & honeſty/but there is a precepte of all this maner holly / breue & not harde to perceyue. For theſe thynges that ſemeth profytable/as honours/rycheſſe/pleaſures/& other of lyke maner/they neuer ſhulde be ꝓferred before amytie & frendſhyp / and an honeſt man wyll not do it agayne the cōmen welth/nor agayne his lauful othe & promeſſe for his frēdes ſake/no though he be iudge vpon his frēde. For he putteth away the perſonage of a frēde whā he putteth vpon hym the perſonage of a iudge. So fer he ſhal do for a frende/that he ſhal wyll the cauſe of his frēde to be true & iuſt/that he may graūt to his frēde a cōuenyent tyme to ꝓſecute the lawe. whan ſentence is to be gyue to him that hath ſworne or made an othe/let ẏ iuryer remēbre that he taketh god to be wytneſſe/that is to ſay in my opyniō/his owne cōſcience adioyned to goddes wyl. than the which conſcyence no thyng more godly god hym ſelfe hath gyue to mā. Therfore we haue take an excellēt way and maner of our elders to entreat the iudge (if we coulde kepe it) what thynges he may do ſauyng his cōſcience. This treatyes pertayneth to thoſe thīges wherof I ſpake a lytel before/that honeſt peticiōs may be graūted of a iudge to his frende. For if all thynges ſhulde be done that our frendes wyll / ſuche thynges are not to take as frenſhips/but as ꝯſpiraces. I ſpeke of the cōmen & vulgar frēſhyp. For no ſuch thīges may be i a wyſe & perfyt mā

Damonem & Pythiam Pythagoreos ferunt hoc animo inter ſe fuiße, ut cum eorum alteri Dionyſius tyrannus idem necis deſtinauiſſet, & i is, qui morti addictus eſſet, paucos ſibi dies cõmendandorum ſuorum cauſſa poſtulauiſſet, uas factus eſt alter eius ſiſtendi, ut ſi ille non reuertiſſet, moriendum eßet ſibi ipſi. Qui cum ad diem ſe recipiſſet, admiratus eorum fidem tyrannis, petiuit, ut ſe in amicitiam tertium aſcriberent. Cum igitur id, quod utile uidetur in amicitia, cum eo, quod honeſtum eſt comparatur, iaceat utilitatis ſpecies, ualeat honeſtas. Cum autem in amicitia, quæ honeſta ſunt poſtulabuntur, religio & fides anteponantur amicitia & ſic habebitur is, quem exquirimus, delectus officij.

IN PVBLICIS CONSVLTAtionibus quantum utilitati tribuendũ, & quantum ibi peccetur.

SEd utilitatis ſpecie in Republ. ſæpißime peccatur, ut in Corinthi diſturbatione noſtri, durius etiam Athenienſes, qui ſciuerunt, ut Aeginitis (qui claße ualebant) pollices præciderentur, hoc uiſum eſt utile. Nimis enim imminebat propter propinquitatem Aegina Pyræo. Sed nihil quod crudele, utile. Eſt enin hominum naturæ (quam ſequi debemus) maxime inimica crudelitas. Male etiam qui peregrinos urbibus uti probibent, eoſq; exterminant, ut Peneus apud patres noſtros, Papius nuper, nam eſſe pro ciue, qui ciuis non ſit, rectum eſt non licere,

Men ſaye that Damon and Pythias of the ſecte of Pythagoras were of this mynde one towarde an other/ that whan the tyraūt Dioniſiꝰ appoynted to the one of them a day of his death / and he that was iudged to dye aſked a fewe dayes of reſpyte bycauſe to diſpoſe his goodes, the other became pledge and ſurety to bryng him in the day aſſygned/ ſo that if he (for whom he was bounde) did not returne he ſhulde dye hym ſelfe. which where as he returned at the ſayde daye, the tyraunt meruayled at the conſtaunce of them in trewe loue/ & deſyred that he might be takē as the thyrde perſon in to their bonde of loue. ¶ Therfore where as that whiche ſemeth profytable in loue and frendſhyp is cõpared with that which is honeſt/ let the reſemblaunce of ꝓfyte lye aparte/ and honeſtie beare rule. whan thoſe thinges that be not honeſt are deſyred/ cõſciēce & truth muſt be preferred before frēdſhyp. And ſo this differēce of offyce & honeſtie that we ſeke out ſhalbe had.

¶ In cõmen coũſayles alwayes honeſtie is to be had rather than falſe profyte / nor any coũſayle ſhoulde ſeme profytable that repugneth with honeſtie/ and here foloweth examples of this mater vpon bothe partes.

BUt offence is very ofte doone agaynſte the commen wealth vnder the colour of profyte/ as our Romaynes dyd in the deſtructiõ of Corinthus. The Athenyēſes delte more cruelly, which made a lawe that the thombes of the Aeginites (whiche were good maryners) ſhulde be cutte of. This ſemed profytable/ by the reaſon the yle of Aegina was daungerous to Pireus a porte in Athenes/ and by reaſon that it was nyghe. But there is nothynge profytable that is cruell/ for crueltye is moſte enemye to the nature of man/ which we ſhulde folowe. Alſo they do euyll that prohybet ſtraungers to haue recours to cytyes and dryue them out / as Pencus dyd in our forefathers dayes / and lately Papius: for he that is no Cytezyne/ it is no ryghte that he maye be taken for a Cytezyne/

quam tulerunt legem ſapientiſsimi conſules, Craſſus & Scæuola, uſu uero urbis prohibere peregrinos, ſanè inhumanũ eſt. Illa præclara, in quibus publicæ utilitatis ſpecies præ honeſtate cõtemnitur. Plena exemplorũ eſt noſtra Reſpubl. cũ ſæpe alias, tum maxime bello punico ſecũdo, quæ Cãnenſi calamitate accepta, maiores animos habuit, quam unquã rebus ſecũdis. Nulla timoris ſignificatio, nulla mentio pacis, tanta uis eſt honeſti, ut ſpeciẽ utilitatis obſcuret. Athenienſes cũ Perſarum impetum nullo modo poſsent ſuſtinere, ſtatuerentq; ut urbe relicta, coniugibus, & liberis, Trœzene depoſitis, naues conſcenderẽt, libertatemq; Græciæ, claſſe defenderẽt, Cyrſilum quendam ſuadentemq;, ut in urbe manerent, Xerxemq; reciperent, lapidibus obruerunt. Atq; ille ſequi utilitatem uidebatur. Sed ea nulla erat repugnante honeſtate. Themiſtocles poſt uictoriam eius belli, quod cum Perſis fuit, dixit in contione, ſe habere conſilium Reipubl. ſalutare, ſed id ſcire opus non eſse, poſtulauit ut aliquem populus daret, qui cum communicaret, datus eſt Ariſtides, huic ille claſsem Lacedæmoniorum, quæ ſubducta eſſet ad Cytheum clam incendi poſse, quo facto frangi Lacedæmoniorum opes neceſse eſset. Quod Ariſtides cum audiuiſset, in contionem magna expectatione uenit, dixitq; perutile eſse conſilium, quod Themiſtocles adferret, ſed minime honeſtum. Itaq; Athenienſes, quod honeſtum non eſset, id ne utile quidem putauerunt, totamq; eam rem, quam ne audiuerant quidem,

which ſawe Craſſus and Sceuola very wiſe conſuls dyd make / but to forbydde a ſtraunger the vſe of any cytizenly is agaynſte good maner. There is a noble ordre where as the colour of profyte is diſpyſed in comparyſon of honeſty. Our cōmenty is full of ſuche examples / bothe elſe at other tymes and ſpecially in the ſeconde batayle of Chartage / whiche after the great fall taken at Cannas cytee had the better ſtomakes than euery they had in tyme of welthe. There was no token of drede / no mencyon of peace / the vertue of honeſty is of that effycacye that it dymmeth and makes derke the colour of profyte. what tyme the Athenyēſes coulde not abyde in any wyſe the vyolēce of the Perſes / and were determyned the cyte lefte deſolate, their wyues and chyldren ſet in Trozena cyte / that they wolde take ſhyppe and wolde defende the lybertye of Grece by a nauye / and they ſtoned to dethe one called Cyrſulus / whiche counſayled them that they ſhulde remayne in the cyte of Athenes / & that they ſhulde receyue Xerxes. And the ſayd Cyrſulus thought that he entended profyte / but it was none where as honeſty dyd repugne agayne it. Themyſtocles after the victorye of that batayle that was done agayne the Perſes ſayde amonge a multytude of the Gretyans that he had founde a counſayle profytable to the commen welthe / all be it he ſayd that it is not neceſſary to be knowē / he deſyred that the people wolde gyue hym ſome man with whome he myght cōmen & talke / Ariſtides was ſent to hym / he ſayd to hym that the nauye of the Lacedemones which was conueyed to the hauen / myght priuely be ſette on fyre which done it muſt neceſſaryly folowe that the power of the Lacedemonyens ſhulde be ouerthrowen. which after Ariſtides herde he returned to the multytude / greatly loked for / & ſayd that coūſayle was very profytable which Themiſtocles gaue / but not honeſt. Therfore the Athenienſes iudged that not to be profytable that was not honeſt / & they renoūced al that mater which they herde not:

authore Ariſtide, repudiauerunt. Melius hi quam nos, qui piratas immunes, ſocios uectigales habemus. Maneat ergo quod turpe ſit, id nunquam eſſe utile, ne tum quidem, cum id quod utile eſſe putes, adipiſcare. Hoc enim ipſum utile putare, quod turpe ſit, calamitioſum eſt.

IN CONTRACTIBVS PRAEFERENDA UTILITATI HONEſTAS. Fingit autem ſpecies, id eſt caſus quoſdam more Iureconſul. ubi utilitas cum honeſto pugnat.

SEd incidunt (ut ſupra dixi) ſæpe cauſſæ, cum repugnare utilitas honeſtati uideatur, ut animaduertendum ſit, repugnet ne plane, an poſſit cum honeſtate coniungi. Eius generis hæ ſunt quæſtiones. Si (exempli gratia) uir bonus ab Alexandria profectus Rhodum magnum frumenti numerum aduexit in Rhodiorum inopia, & fame ſummaq; annonæ charitate, ſi idem ſciat complures mercatores ab Alexandria ſoluiſſe, nauesq; in curſu frumento onuſtas petentes Rhodum uiderit, dicturus ne ſit id Rhodijs, an ſilentio ſuum quam plurimo uenditurus? ſapientem, & bonum uirũ fingimus, de eius deliberatione, & conſultatione quærimus, qui celaturus Rhodios non ſit, ſi id turpe iudicet, ſed dubitet an turpe non ſit. In huiuſmodi cauſſis aliud Diogeni Babylonio uideri ſolet, magno, & graui Stoico, aliud Antipatro diſcipulo eius homini acutiſſimo.

but by the diſcloſyng of Ariſtides. Theſe Athenyenſes dyd better thã we Romaynes dyd / that let go the pyrates and robbers vpon the ſee vnpunyſſhed / and ſuffred our owne company to be trybutaryes. Therfore let this be a concluſyon that that thynge whiche is not honeſt is neuer profytable / no not than whan thou thynkeſt that thou haſt gotten that thynge whiche thou iudgeſt not to be profytable. For it is euyll to iudge that to be profytable that may not be honeſt.

¶ In cõmen byeng and ſellyng what forme of honeſty and profyte is. Tully counterfaytes a certayne reſemblãce after the maner of lerned men of lawe / and he induceth two of Socrates ſecte of dyuers opinyons / wherof the one referreth al to the opinyons of Socrates ſchole / the other modereth all after cuſtome of men and lawe ciuyle

BUt cauſes oft tymes (as I ſayd before) dothe chãce whan profyte dothe ſeme to repugne agaynſt honeſty / ſo that we muſt take hede whether it repugne manyfeſtly / or whether it may ſtande with honeſty. Theſe queſtyons there be of this maner: If ſo be (for an example) an honeſt man hath take his iourney fro Alexandria to the yle of the Rhodes / and hath brought a great nombre of wheate in the derth tyme of the Rhodyanes and hũger / and in extreme penurye of corne / if ſo be the ſame man knowe many merchauntes cõmynge fro Alexandria / and ſe the veſſels in his courſe goynge laden with corne / goynge to the Rhodes / whether ſhulde he ſhewe this to the Rhodyanes, or els ſell his owne corne as dere as he cã we ſuppoſe that he is a wyſe and a good mã / we enquyre of the entent and purpoſe of that man / whiche wyll not cele this fro the Rhodyanes / if he thynke it be not honeſt / but he douteth whether it be inhoneſt. In this queſtyons Dyogenes of Babylon / a great and a profounde ſcholer of Socrates ſchole / ſemeth to haue one opynyon / and Antipater his ſcholer (a quycke mã) to haue another,

Antipatro omnia patefacienda, aut ne quid omnino quod uenditor norit, emptor ignoret. Diogeni uenditorem, quatenus iure ciuili conſtitutum ſit, dicere uitia oportere, cætera ſine inſidijs agere, & quoniam uendat, uelle quamoptime uendere, aduexi, expoſui, uendo meum non pluris quam cæteri, fortaſſe etiam minoris, cum maior eſt copia, cui ſit iniuria? Exoritur Antipatri ratio ex altera parte. Quid agis, tute cum hominibus conſulere debeas, & ſeruire humanæ ſocietati, eaq; lege natus ſis, & ea habeas principia naturæ, quibus parere, & quæ ſemper ſequi debeat, ut utilitatis tua communis utilitatis ſit, uiciſsimque ea cõmunis utilitas tua ſit, celabis homines quid his adſit commoditatis & copiæ, reſpondebit Diogenes fortaſſe ſic. Aliud celare, aliud eſt tacere, neq; ego nunc te celo, ſi tibi non dico, quæ natura Deorum ſit, quis ſit finis bonorum, quæ tibi plus prodeſſent cognita, quam tritici utilitas. Sed non quicquid tibi audiri utile eſt, id mihi dicere neceſſe eſt. Immo uero (inquit ille) neceſſe eſt. Siquidem inter homines natura meminiſti coniunctam ſocietatem. Memini inquiet ille. Sed num iſta ſocietas talis eſt, ut nihil ſuum cuiuſq; ſit? Quod ſi ita eſt, nec uendendum quidem quicquam eſt, ſed donandum. Vides in hac tota diſceptatione non illud dici, quamuis hoc turpe ſit, tamen quoniam expedit faciam. Sed ita expedire, ut turpe non ſit, ex altera autem parte ea re, quia turpe ſit, non eſſe faciendum. Vendat ædes uir bonus propter aliqua uitia, quæ ipſe norit, cæteri ignorent

It ſemed to Antipater that all thyng ſhulde be manyfeſt that the ſellar ſhulde know nothig/but the byer ſhulde knowe the ſame. It ſemed to Diogenes that the ſellare ſholde ſhew the fautes as euydētly as is declared by lawe cyuyle/ & to do other thiges without diſceyte/and bycauſe he dyd ſell/to be in wyll to ſell after the beſt maner. Sayeng I am come hyther/I haue ſet forthe ware to ſell / I wyll ſell my corne no derer than other men/ye & peraduēture vnder for as moche as there is more plenty/here to whom is the wrōge done? A reaſon is moued by Antipater vpon the contrary parte. what doeſt thou? ſhalt thou cōcele fro men what is for their profyte/ where as thou arte bounde to profyte other men/ & to do pleaſure to the company of men & to a multytude/and art borne to that ende that thou may haue theſe ſedes of nature / to the which thou arte boūden to obey & at al tymes to folowe/ſo that thy profyte be concernyng the cōmen profyte / & vpō the other ſyde that the cōmen profyte be thy profyte. wylte thou cōcele fro me what may growe to their profyte & encreaſe? Diogenes wyll anſwere paduēture this wyſe. It is one thyng to concele & an other to holde thy tonge/ nor I do not cōcele fro the now/ though I tell not to ye what is the nature of goddes/ what is ye ende of felycite/ which knowen might ꝓfyte the more thā the profyte of wheate but it is not neceſſary for me to tell the what ſo euer is profytable for the to here. yes verely it is neceſſary / for thou doeſt knowe that there is a company knyt amōgeſt men by nature. I remēbre it well he ſayth: but is this cōpany ſuche that no mā may haue any thyng of his owne? which if it be ſo/a man ſhulde ſell nothyng but it ſhulde be gyue. Thou doeſt ſe in all this diſputaciō that this is not ſayd/ though this be not honeſt not withſtandyng for as moche as it is profytable I wyll do it / but ſo to be profytable that it be not inhoneſt. Upon the other parte ye it for that cōſyderacion/bycauſe it is not honeſt it ought not to be doone. An honeſt man maye ſell an houſe for ſome fautes that he knoweth by it/other knowe it not/

peſtilentes ſint, & habeãtur ſalubres, ignoretur ĩ omnibus cubiculis adparare ſerpẽtes, male materiatæ, ruinoſæ, ſed hoc præter dominum nemo ſciat, quæro, ſi hæc emptoribus uenditor non dixerit, ædesq; uendiderit pluris multo, quã ſe uenditurũ putarit, num id iuſte, aut improbe fecerit? Ille uero, inquit Antipater, improbe facit. Quid enim eſt aliud erranti uiam non monſtrare, quod Athenis execrationibus publicis ſancitũ eſt ſi hoc non eſt emptorem pati ruere, & per errorẽ in maximam fraudẽ incurrere. Plus etiam eſt, quam uiam non monſtrare. Nam eſt ſcientem in errorem alterũ inducere. Diogenes contra, num te emere coegit, qui ne hortatus quidem eſt? ille quod non placebat, proſcripſit, tu quod placebat emiſti. Quod ſi qui proſcribũt uillam bonam (ut ipſi adſcribũt) beneq; ædificatam, non exiſtimantur feſelliſſe, etiam ſi illa nec bona eſt, nec ædificata ratione. Multo minus igitur, qui domũ non laudarunt, ubi enim iudiciũ emptoris eſt, ibi fraus uenditoris, quæ poteſt eſſe? Sin autem dictũ non omne præſtandũ eſt, quod dictum nõ eſt, id præſtandũ putas? Quid uero eſt ſtultius, quã uenditorẽ eius rei quam uendat, uitia narrare? Quid autem tam abſurdũ, quam ſi domini iuſſu ita præco prædicet, domũ peſtilentem uendo. Sic ergo in quibuſdam cauſſis dubijs, ex altera parte defenditur honeſtas, ex altera ita de utilitate dicitur, ut id, quod utile uideatur, non modo honeſtum facere ſit, ſed etiam non facere, turpe. Hæc eſt illa, quæ uidetur utilium fieri cum honeſtis ſæpe diſſenſio.

the houſe is infectyue & yet is taken for holſome/ it is vnknowē that ſerpētes appere in euery chambre /the houſe is euyll tymbred and ruenous/but no man knoweth this but the owner/ I aſke whether the ſellar dyd not ſhewe this to the byers /and hath ſolde the houſe moche derer than he thought that he ſhulde ſet it/ whether hath he done ryght or wronge? He dothe wronge ſayth Antipater. For what is it els not to ſhewe the ryght waye to hym that gothe out of the way/ whiche in Athenes was decreed by lawe a thynge deteſtable and curſed: if this be not to ſuffer the byer to haue loſſe/and by ignoraūce to ron in to very great diſceyte and domage. It is alſo more than not to ſhewe a man the waye/for it is wytyngly to lede another man in to errour. Diogenes made obiectyon: dyd the ſeller compell the to bye whiche dyd not as moche as moue the therto? he ſet in ſale that thyng which dyd not pleaſe hym / thou boughteſt that pleaſed the. wherfore if they that make a ſale of a maner place good and well edifyed are not to be thought that they haue diſceyued the / ye thoughe that maner place be not good/nor buylded ſubſtancyally /moche more than they that prayſe not their houſe / for where as the byer maye be his owne iudge/ what fraude maye be done there? but if ſo be that euery worde ought to be perfourmed/iudgeſt thou that worde that was not ſpoke ſhulde be perfourmed? what is more folyſſhe than that the ſeller ſhall open the fautes of that thynge whiche he ſetteth on ſale? what is ſo lewde as yt the cryer do publyſſhe this wyſe by the cōmaundement of the owner/ I ſell an infectyue houſe. Therfore in ſome ſuche doutfull cauſes it is thus defended vpon the one parte/ and this wyſe diſputed of profyte vpon the other parte / that the thynge whiche ſemeth profytable not onely is honeſt to do/but alſo not to do it is reproche. This is the diſſencyon of profytes / whiche ſemeth to be made ofte tymes with thynges that be honeſt.

EXPONIT SVAM SENTENtiam de formulis contractuum ſupra poſitis.

QVæ diſiudicanda ſunt, non enim ut quæreremus expoſuimus, ſed ut explicaremus. Non igitur uidetur, nec frumẽtarius ille Rhodius, nec hic ædiũ uenditor celare emptores debuiſſe, neq; enim id eſt celare, cum quid reticeas, ſed cum quid tu ſcias, id ignorare emolumenti tui cauſſa uelis eos, quorum inter ſit id ſcire. Hoc autem celandi genus quale ſit, & cuius hominis, quis non uidet? Certe non aperti, non ſimplicis eſt, non ingenui, non iuſti, non uiri boni, uerſuti potius, obſcuri, aſtuti, fallacis, malitioſi, callidi, ueteratoris, uafri. Hæc tot & alia plura, nonne inutile eſt uitiorũ ſubire nomina? Quod ſi uituperandi ſunt, qui reticuerunt, quid de his exiſtimandũ eſt, qui orationis uanitatẽ adhibuerunt? Caius Cannius eques Romanus, homo nec infacetus, & ſatis literatus, cũ ſe Syracuſas ociandi cauſſa non negociandi (ut ipſe dicere ſolebat) contuliſſet, dictabat ſe hortulos aliquos uelle emere, quo inuitare amicos, & ubi ſe oblectare ſine interpellatoribus poſſet. Quod cũ percrebuiſſet, Pythius ei quidã, qui argentariam faceret Syracuſis dixit uenales quidem ſe hortos non habere, ſed licere uti Cannio ſi uellet ut ſuis, & ſimul ad cœnam hominem in hortos inuitauit in poſterũ diem. Cum ille promiſiſſet, tum Pythius ut argentarius, qui eſſet apud omnes ordines gratioſus, piſcatores ad ſe conuocauit,

¶ In this altercacion of phylaſophers here before Tully entrepriſeth his opinyon/that an honeſt man vtterly ſhulde not diſſemble bycauſe of his priuate profyte/ye though cuſtome and certayne lawes ciuyle do not forbyd to cōcele.

I Haue declared what thynges are to be done decyſed/not for the entent that I wyl make queſtyons, but that I wyll make openly declaracion. Therfore this purueyer of corne a Rhodyan/nor the ſellar of this houſe ſemeth that he ought to haue concelled fro the byer any fautes knowen: for it is no concelemēt whan thou kepeſt ſome thynge vnſpoken/but whan thou wylleſt them not know bycauſe of thyne auaūtage /whoſe profyte were to know. This maner of cōcelemet what is it/and of what man who ſeeth not? Surely not an open herted man/not a playne man/not a gētyl man/not a ryghtous man/not/ a good man/but rather a diſſymuler/a villayne/acrafty/ a falſe/a malycious/a ſubtyll & olde wrangler/a diſceptfull man. These & other mo lyke/whether or no is not neceſſary to beare the names of vyces? Than if ſo be they are to be reproued that holde their tonge / what is to be thought of ſuche that maketh a ſhamfull lye? Caius Cannius a knyght of Rome/a man eloquent and ſuffyciently lerned/ whan he reſorted to Syracuſe cyte for/thentent to lye quyete and to be out of buſyneſſe(as he was wōte to ſay)he ſaide that he wolde bye a certayne orchardes or gardaynes/wher vnto he wolde deſyre his frendes / and where he myght take his paſtyme without ſuters/which after it came a brode/one named Pithius(whiche was a iewellar i Syracuſe)ſayd to the ſayd Cānius that he had no orchardes or gardeynes to hymſelfe but that Cānius myght haue the vſe of thē(if he wolde)as his owne/& alſo he deſyred Cānius to ſupper with hym the day folowīg. whan he had pmyſed to come/thē Pithius as a iewellar whiche was i fauour wͭ al maner was called to hī fyſſhers

& ab his petiuit, ut ante ſuos hortulos poſtera die piſcarentur, dixitq; quid eos facere uellet. Ad cœnam tempore uenit Cannius, opipare paratũ erat conuiuium, cymbarum ante oculos multitudo, pro ſe quiſq; quod cœperat, adferebat, ante pedes Pythij piſces abijciebantur. Tum Cannius, quæſo inquit, quid eſt ô Pythi, tantũne piſciũ? tantum ne cymbarum? Et ille. Qui mirum, inquit, hoc loco eſt Syracuſis quicquid eſt piſcium, hic aquatio: hac uilla iſti carere non poſſunt. Incenſus Cannius cupiditate, cõtendit à Pythio, ut uenderet. Grauate ille primo. Quid multa? impetrat, emit homo cupidus, & locuples tanti, quãti Pythius uoluit, & emit inſtructos, nomina facit, negotium conficit. Inuitat Cannius poſtea die familiares ſuos. Venit ipſe mature, ſcalmũ nullũ uidet, quærit ex proximo uicino, num feriæ quædam piſcatorum eſſent, quod eos nullus uideret. Nullæ, quod ſciam, inquit ille, ſed hic piſcari nulli ſolent. Itaq; heri mirabar quid accidiſſet. Stomachari Cãnius, ſed quid faceret? nondum enim Aquilius collega, & familiaris meus protulerat de dolo malo formulas. In quibus ipſis, cũ ex eo quærerem quid eſſet dolus malus, reſpondebat, cum eſſet aliud ſimulatũ, aliud actũ. Hoc quidem ſanè luculenter, ut ab homine perito definiendi. Ergo & Pythius, & omnes aliud agentes, aliud ſimulantes, perfidi improbi, malitioſi ſunt. Nullũ igitur factum eorũ poteſt eſſe utile, cum ſit tot uitijs inquinatum. Quod ſi Aquiliana definitio uera eſt, ex omni uita ſimulatio diſſimulatioq; tollenda eſt.

and deſyred them that they ſhulde fyſſhe the day after before his gardayne ſyde/ & ſhewed them what they ſhulde do. Cānius came to ſupper in due tyme/ the feeſt was gorgyouſly prepared/ a multytude of fyſſhers botes were before the gardayne ſydes/ euery man brought in his ſhare of the fyſſhe taken. The fyſſhe was caſt before Pithius fete. Thā Cānius ſayd/ I praye you Pithius what meaneth this/ haue you ſo moche fyſſhe/ ſo many botes? And he anſwered/ what meruayle is it in this place: what ſoeuer fyſſhe is ī Syracuſe to this water it reſorteth. Theſe comodytyes may not be without this maner place. Cannius enflamed with coueytyſe laboured ſore that Pithius ſhulde ſell it. Pithius made it ſtraunge at the fyrſt. what ſhulde I make longe proceſſe/ Cannius had his purpoſe. This couetous man and riche boughte the maner & the gardaynes for as moche as Pithius wolde aſke/ and he bought theſe gardaynes well ordred and dreſſed: he made bondes by oblygacion/ and perfourmed all couenauntes. Cannius called to dyner the day folowyng his acquayntāce. He hym ſelfe came by tyme/ he ſawe not one pece of a bote. He aſked of his next neyghbour whether ẏ fyſſhers kepte that day holy day/ bycauſe he ſe none of them there No ſayd he as fer as I knowe/ but here none be wont to fyſſhe/ and therfore I meruayle what chaunſed them to be here. Cannius waxed angry/ but what ſhulde he do in ſuche a caſe/ for Aquilius my felowe and companyon as yet to had not made and promulgate the ſtatute of falſe diſceyte. In the whiche lawes whan he was aſked what was falſe diſceyte/ he anſwered: whā one thyng is ſhewed and coloured/ & an other thyng is done. Surely this was prudently defyned/ as of a man experte of defynycion. Therfore bothe Pithius and all other doyng one thyng and ſhewyng an other by colour/ be falſe/ leude/ and malycious. Therfore none of their dedes may be profytable whā it is diſtayned with ſo many vyces. Therfore if the defynycion of Aquilius be trewe/ ſymulacion and diſſymulacyon is to be banyſſhed from all men lyuynge.

Ita nec ut emat melius, nec ut uendat quicquam ſimulabit, aut diſsimulabit uir bonus. Atq; iſte dolus malus, etiam legibus erat uindicatus, ut tutela duodecim tabulis, & circunſcriptio aduleſcentũ lege latoria, & ſine lege iudicijs, in quibus ex fide bona agitur. Reliquorũ autem iudiciorũ hæc uerba maxime excellunt, in arbitrio rei uxoriæ melius, æquius in fiducia, ut inter bonos bene agier. Quid ergo? aut in eo qđ melius æquius eſt, poteſt illa pars ineſſe fraudis? Aut cum dicitur, inter bonos bene agier, quicquam agi doloſe, aut malitioſe poteſt? Dolus autem malus ſimulatione & diſsimulatione, (ut ait Aquilius) continetur. Tollendum eſt igitur in rebus cõtrahendis omne mendacium, non licitatorem uenditor, nec qui contra liceatur, emptor opponet. Vterq; ſi ad eloquendum uenerit, non plus quam ſemel eloquatur. Qu. quidem Scæuola, P. filius, cum poſtulaſset, ut ſibi fundus, cuius emptor erat, ſemel indicaretur, idq; uenditor ita feciſset, dixit ſe pluris æſtimare, addidit centũ millia. Nemo eſt, qui hoc uiri boni fuiſse neget, ſapientis negant, ut etiam ſi minoris quam potuiſset, emiſſet. Hæc igitur eſt illa pernities, quod alios bonos, alios ſapientes exiſtimant. Ex quo Ennius, ne quicquam ſapere ſapientẽ, qui ſibi ipſe prodeſſe nequiret. Vere hic quidẽ, ſi quid eſſet prodeſſe, mihi cum Enneo conueniret. Hecationem quidem Rhodum diſcipulum Panætij uideo, in his libris, quos de officio ſcripſit Quinto Tuberoni diſserentem ſapientis eſſe nihil contra mores, leges, inſtituta facientem,

So that an honeſt mã ſhal neyther ſymule nor diſſymule any thyng for thentent to bye better or to ſell better. And this falſe diſceyte was alſo puniſſhed by lawes: as the diſceyte of wardes in the lawes called duodecim tabule/ and diſceyte done to yonge men in their none age was puniſſhed by the lawe that Latorius made/ and without lawe by iudgementes/ wherof cõſultacion is had in the courte of good conſcyence. Of all iudgementes theſe wordes be moſte excellent/ that it is well done whan the better way is made in a cauſe of arbytrement bytwene a man ⁊ his wyfe/ alſo whan the moſte egall way is take bytwene honeſt men in a cauſe of faythe ⁊ truſt. what than? may any parte of fraude be in that thynge that is better or more egall: or whan it is ſayd/ it is well doone bytwene honeſt mẽ/ any thing can be done by diſceyte or by mallyce. Falſe diſceyte as Aquilius ſayth is cõteyned in ſymulaciõ and diſſymulacion. Therfore all maner of lyeng is to be auoyded in maters of byeng and ſellynge. The ſellar ſhal not ſet a broker to exalte the price/ nor the byer ſhall not apoynt hym that ſhal prayſe the ware vnder the iuſt price If ſo be bothe partes come to ſpeake togyther/ let them ſpeake no more but ones/ ⁊ conclude at a worde. Quintus Sceuola/ ſonne to Publi⁹/ whã he deſyred that his groũde which he bought ſhulde be prayſed/ ⁊ the ſellar wolde haue done it ſo/ he ſayd that he wolde prayſe it at an hyer price and offred an hũdred thouſandes more. There is no mã that can deny that this was thoffyce of an honeſt mã/ but they deny it to be thoffyce of a wyſe man/ ſo that he ſhulde haue bought as good chepe as he coulde. Therfore this is that miſchefe bycauſe they iudge that ſome be honeſt ſome wyſe/ wherof Ennius writeth/ that that wyſe mã hath no wytte that can not profyte hym ſelfe. He ſayth true yf ſo be that Ennius and I agreed in one what profyte ſhulde be. I ſe that Hecato a Rhodian and ſcholer of Panecius in theſe bokes that he wrote of offyces ⁊ honeſty to Quintus Tubero/ ſayeng that it belongeth to a wyſe mã nothynge doynge agaynſt maners/ lawes/ ⁊ ordynaunce,

habere rationem rei familiaris. Neq; enim ſolum nobis diuites eſſe uolumus, ſed liberis, propinquis, amicis, maximeq; Reipub. Singulorũ enim facultates, & copiæ, diuitiæ ſunt ciuitatis. Huic Scæuolæ factũ, de quo paulo ante dixi, placere nullo modo poteſt. Etenim omnino ſe negat facturum compendii ſui cauſſa, quod nõ liceat. Huic nec laus magna tribuenda eſt, nec gratia. Sed ſiue & ſimulatio, & diſsimulatio dolus malus eſt, perpaucæ res ſunt, in quibus dolus iſte malus non uerſetur, ſiue uir bonus eſt is, qui prodeſt quibus poteſt, nocet nemini. Recte iuſtum uirũ bonum, non facile reperiemus. Nunquam igitur eſt utile peccare, quia ſemper eſt turpe, & quia ſemper eſt honeſtum uirũ bonum eſſe, ſemper eſt utile. Ac de iure quidem prædiorum ſanctum eſt apud nos iure ciuili, ut in his uendendis uitia etiam dicerentur, quæ nota eſſent uenditori. Nam cum ex duodecim tabulis ſatis eſſet ea præſtari, quæ eſſent lingua nuncupata, quæ qui inficiatus eſſet, duplicem pœnam ſubiret à iureconſultis, etiam reticentiæ pœna eſt conſtituta. Quicquid n. ineſt prædio uitii, id ſtatuerunt, ſi uenditor ſciret, niſi nominatim dictũ eſſet, præſtari oportere. Vt cum in arce augurium, augures acturi eſſent, iuſsiſſentq; Titum Claudium Centimalũ, qui ædes in Cælio mõte habebat, demoliri ea, quarũ altitudo officeret auſpiciis. Claudius pſcripſit, inſulã uẽdidit, emit P. Calphurnius Lanarius. Huic ab auguribus illud idẽ denũciatũ eſt. Itaq; Calphurnius cũ demolitus eſſet, cognouiſſetq; Claudium ædes poſtea proſcripſiſſe,

to haue a respecte to his housholde. For we wyl not onely be ryche for our owne ſelfe/ but alſo for our chyldren/ our nye kynneſfolke our frendes / & ſpecyally for the cōmen welthe. For the ſubſtāce, habūdaunce/ & ryches of euery perticuler man belōgeth to the cyte or the cōmen welthe. This dede of Sceuola (wherof I haue ſpoke before) can in no wyſe content the mynde of Hecato. For Sceuola denyeth utterly that he wyll do (bycauſe of his pryce) that thyng that is not lawfull. Neyther very great prayſe nor thanke is to be gyue to hym: but whether both ſymulaciō & diſſymulacion is falſe diſceyt/ very fewe thynges there be wherin this falſe diſceyte is not exercyſed & uſed/ whether he be an honeſt man that dothe profyte to all that he can/ he hurteth no mā. We ſhal not lyghtly fynde a ryght iuſt man & an honeſt. Therfore it is not profyte to offēde for it is alwayes vyle and inhoneſt. And for as moche as it is honeſt at all tymes that a man be good, it is alwayes profytable. And it is decreed by a lawe called Jus prediorum/ with vs in lawe cyuyle/ that in ſale of landes all fautes ſhulde be ſhewed whiche ought to be knowen to the ſeller. For where as by the lawe called Lex duodecim tabulorū was ſuffyciēt to perfourme ſuch thynges as were expreſſed by wordes/ whiche he that wolde denye ſhulde ſuffer double puniſſhment. Alſo there is a payne made by lerned men of the lawe of concelement, that what ſo euer faute were in the lāde ſolde, they decreed this that if the ſellar knew any faute except he expreſſed it by name/ that he ſhulde make recompēce therfore. As whan in the Capitolium the pronoſtycars ſhulde go aboute augury & dyuynacion/ and cōmaunded Titus Claudius Centumalus whiche had a place in the monte Celius/ to caſt it downe whoſe altytude letted the augury or pronoſtycaciō. Claudius ſette in ſale his place, and ſolde it / Publius Calphurnius an olde man bought it. The ſelfe ſame thynge was ſhewed to hym by the augurs and dyuiners. Therfore after Calphurnius had pulled downe the ſayd place and perceyued that Claudius had ſette in ſale his place

quam eſſet ab auguribus demoliri iuſſus, arbitrum illū adegit, qui quicquid ſibi de ea facere oporteret ex ſide bona M. Cato ſententiam dixit, huius noſtri Catonis pater (ut enim cæteri ex patribus, ſic hic, qui illud lumen progenuit, ex filio eſt nominandus). Is igitur iudex ita pronunciauit, cum in uendundo rem eam ſciſſet, & non pronunciaſſet, emptori damnum præſtare oportere. Igitur ad fidem bonam ſtatuit pertinere, notum eſſe emptori uitium quod noſſet uenditor. Quod ſi recte diiudicauit, non recte frumentarius ille, non recte ædium peſtilentum uenditor tacuit. Sed huiuſmodi reticentiæ iure ciuili omnes comprehendi non poſſūt, quæ autem poſſunt, diligenter tenentur. M. Marius Gratidianus ꝑpinquus noſter, C. Sergio Oratæ uẽdiderat ædes eas, quas ab eodẽ ipſe paucis ante annis emerat. Hæ Sergio ſeruiebat, ſed hoc in mancipio Marius non dixerat. Adducta res in iudiciū eſt Oratam Craſſus, Gratidianum defendebat Antonius. Ius Craſſus urgebat, quod uitium uenditor non dixiſſet, ſciens id oportere præſtari, æquitatẽ Antonius, quoniam id uitiū ignotum Sergio nõ fuiſſet, q̄ illas ædes uendidiſſet, nihil fuiſſe neceſſe dici, nec eū eſſe deceptū, q̄ id qđ emerat, quo iure eſſet teneret. Quorſū hæc? Vt illud intelligas, nõ placuiſſe maioribus noſtris aſtus. Sed aliter leges, aliter philoſophi tollunt aſtutias. Leges, quatenus manu tenere res poſſūt, philoſophi quatenus ratione, & intelligẽtia. Ratio igitur hoc poſtulat, ne quid inſidioſe, ne quid ſimulate, ne quid fallaciter,

after that he was cōmaunded of the augures to plucke it downe/ he droue hym to ſhewe his arbytrement what reſtytucion he ought to make to hym of this conuencyon/ by good conſcyence. Marcus Cato gaue ſentence/ father of this Cato in our tyme/ for as other of their progenytours/ ſo this Cato that brought forth this lyght is to be named of his ſonne: therfore this iudge declared on this wyſe/ that whan ſo euer in a ſale the ſellar knewe that thynge and dyd not open it/ that he ſhulde pay coſtes and domages to the byer. ¶ Therfore he decreed that it pertayned to good conſcyence that the faute ſhulde be knowen to the byer whiche the ſeller dyd knowe. wherfore it he gaue ryght iudgement/ that ſeller of corne/ that ſeller of the infectyue place did none of right concele. But al theſe concelementes can not by lawe ciuyle be comprehended/ but ſuche as be perceyued be dyligently remēbred. Marcus Marius Graditanus my neybour/ ſolde a place to Caius Hergius Orata/ whiche place the ſame Marius bought of the ſelfe Hergius. ¶ This place was in poſſeſſiō of Hergius/ but that was by bonde holde/ Marius made hym not ware therof. ¶ The mater was brought in tryall of the lawe/ Craſſus toke Hergius Oratas parte/ & Anthonius the parte of Marius Graditanus. Craſſus called vrgently vpon his cauſe/ bycauſe the ſeller dyd not ſhewe the faute/ & doynge ſo wetyngly he ought to make reſtytuciō. Anthony ſayde for hym equytye & the law/ bycauſe the faute was not knowe to Hergius that ſolde ỹ place/ that neceſſarily it is to be ſayd that he was not diſceyued which had ī poſſeſſyō that thyng that he bought/ in the ſame cōdycion that it was in. But to what purpoſe this: to thentēt that thou may ꝑceyue that crafty fraude dyd not content our elders. But the lawes taketh away craftyng one way/ & phyloſophers an other way. Lawes as ferforth as they may mayntayne & proue that craftily philoſophers as fer as they can proue by reaſon & knowlege. ¶ Therfore reaſon requyreth thus/ that we do nothyng inſydiouſly/ nothing by ſymulacion/ nothig falſly.

quam eſſet ab auguribus demoliri iuſſus, arbitrum illũ adegit, qui quicquid ſibi de ea facere oporteret ex fide bona M. Cato ſententiam dixit, huius noſtri Catonis pater (ut enim cæteri ex patribus, ſic hic, qui illud lumen progenuit, ex filio eſt nominandus). Is igitur iudex ita pronunciauit, cum in uenundando rem eam ſciſſet, & non pronunciaſſet, emptori damnum præſtare oportere. Igitur ad fidem bonam ſtatuit pertinere, notum eße emptori uitium quod noßet uenditor. Quod ſi recte diiudicauit, non recte frumentarius ille, non recte ædium peſtilentum uenditor tacuit. Sed huiuſmodi reticentiæ iure ciuili omnes comprehendi non poßũt, quæ autem poſſunt, diligenter tenentur. M. Marius Gratidianus ꝓpinquus noſter, C. Sergio Oratæ uẽdiderat ædes eas, quas ab eodẽ ipſe paucis ante annis emerat. Hæ Sergio ſeruiebãt, ſed hoc in mancipio Marius non dixerat. Adducta res in iudiciũ eſt Oratam Craßus, Gratidianum defendebat Antonius. Ius Craßus urgebat, quod uitium uenditor non dixißet, ſciens id oportere præſtari, æquitatẽ Antonius, quoniam id uitiũ ignotum Sergio nõ fuißet, q illas ædes uendidißet, nihil fuiße neceße dici, nec eũ eße deceptũ, q id qđ emerat, quo iure eße teneret. Quorſũ hæc? Vt illud intelligas, nõ placuiße maioribus noſtris aſtus. Sed aliter leges, aliter philoſophi tollunt aſtutias. Leges, quatenus manu tenere res poßũt, philoſophi quatenus ratione, & intelligẽtia. Ratio igitur hoc poſtulat, ne quid inſidioſe, ne quid ſimulate, ne quid fallaciter,

after that he was cōmaunded of the augures to plucke it downe/ he droue hym to ſhewe his arbytrement what reſtytucion he ought to make to hym of this conuencyon/ by good conſcyence. Marcus Cato gaue ſentence/ father of this Cato in our tyme/ for as other of their progenytours/ ſo this Cato that brought forth this lyght is to be named of his ſonne: therfore this iudge declared on this wyſe/ that whan ſo euer in a ſale the ſellar knewe that thynge and dyd not open it/ that he ſhulde pay coſtes and domages to the byer. Therfore he decreed that it pertayned to good conſcyence that the faute ſhulde be knowen to the byer whiche the ſeller dyd knowe. wherfore it he gaue ryght iudgement/ that ſeller of corne/ that ſeller of the infectyue place did none of right concele. But al theſe concelementes can not by lawe ciuyle be comprehended/ but ſuche as be perceyued be dyligently remēbred. Marcus Marius Gratidianus my neybour/ ſolde a place to Caius Hergius Orata/ whiche place the ſame Marius bought of the ſelfe Hergius. This place was in poſſeſſiō of Hergius/ but that was by bonde holde/ Marius made hym not ware therof. The mater was brought in tryall of the lawe/ Craſſus toke Hergius Oratas parte/ & Anthonius the parte of Marius Gratidianus. Craſſus called vrgently vpon his cauſe/ bycauſe the ſeller dyd not ſhewe the faute/ & doynge ſo wetyngly he ought to make reſtytuciō. Anthony ſayde for hym equytye & the law/ bycauſe the faute was not knowē to Hergius that ſolde yͤ place/ that neceſſarily it is to be ſayd that he was not diſceyued which had ī poſſeſſyō that thyng that he bought/ in the ſame cōdycion that it was in. But to what purpoſe this: to thentēt that thou may ꝑceyue that crafty fraude dyd not content our elders. But the lawes taketh away craftyng one way/ & phyloſophers an other way. Lawes as ferforth as they may maynteyne & proue that craftily philoſophers as fer as they can proue by reaſon & knowlege. Therfore reaſon requyreth thus/ that we do nothyng inſydiouſly/ nothyng by ſymulacion/ nothīg falſly.

Sunt igitur inſidiæ, tendere plagas, etiam ſi excitaturus nõ ſis, nec agitaturus. Ipſe enim feræ nullo inſequente ſæpe incidunt. Sic tu cum ædes proſcribas, tabulas tanquam plagam ponas, domum propter uitia uendas, in eam aliquis incurrat imprudens. Hoc quanquam uideo propter deprauationem conſuetudinis, neq; more turpe haberi, neq; aut lege ſanciri, aut iure ciuili, tamen naturæ lege ſanctũ eſt. Societas eſt enim (quod & ſi ſæpe dictum eſt, dicẽdum tamen eſt ſæpius) latiſsime quidem, quæ pateat omnium inter omnes, interior eorum qui eiuſdem gentis ſunt, propior eorum, qui eiuſdem ciuitatis. Itaq; maiores aliud ius gentium, aliud ius ciuile eſſe uoluerunt. Quod enim ciuile, non idem continuo gentium, quod autem gentium, idem ciuile eſſe debet. Sed nos ueri iuris, germanæq; iuſtitiæ, ſolidam, & expreſsam effigiem nullam tenemus, umbra & imaginibus utimur, eas ipſas utinam ſequeremur. Feruntur enim ex optimis naturæ, & ueritatis exemplis. Nam quanti uerba illa? uti ne propter te fidemue tuã captus, fraudatuſue ſim? quã illa aurea, ut inter bonos bene agi oportet & ſine fraudatione. Sed qui ſunt boni, & quid ſit bene agi, magna quæſtio eſt. Qu. quidem Scæuola Pontifex Maximus, ſummam uim eſſe dicebat in omnibus ijs arbitrijs, in quibus ageretur ex fide bona. Fideiq; bonæ nomen æſtimabat manare latiſsime. Idq; uerſari in tutelis, ſocietatibus, fiducijs, mandatis, rebus emptis, uenditis, conductis, locatis, quibus uitæ ſocietas cõtinetur. In his magni eſſe iudicis ſtatuere,

Therfore ther be diſceytes to pytche nettes though thou pull not them vp nor ſtyrre them/for theſe wylde beeſtes ofte fall in to them/no mā purſuyng them. So thou whā thou ſetteſt thy houſe in ſale / than ſetteſt thy byll of ſale as a nette. Thou ſelleſt thy houſe for fautes / ſo many a man ruſſheth in to them vnknowynge. Though I ſe this by reaſon of euyll cuſtome/nor to be taken as diſhoneſty/ after good maner / nor to be refourmed by cōmen lawe/ nor by lawe ciuyle/not withſtādyng it is decreed by lawe of nature. For company and felowſhyp(wherof though it haue be ofte ſpoken,notwithſtandyng it is ofte to be ſpoken)whiche is very playnly made open of all maner of men togythers. The more inwarde company is of them that be of the ſame nacyon the nygher is of them that be of the ſame cytie. Therfore our elders wylled that the cōmen lawe is one thynge/the lawe ciuyle is an other. For that which is lawe ciuyle/the ſame immedyatly is not the cōmen lawe:the ſame that is cōmen lawe ought to be ciuyle/but we kepe no ſubſtācyall and expreſſed forme of iuſt lawe nor of true iuſtyce.we vſe a ſhadowe ⁊ as ymages of our elders/and wolde god we myght folowe them for they be brought to vs of the beſt preſydēce of nature and truthe. For howe greatly are theſe wordes to be exteded/that I be not diſceyued or defrauded through the or thy faythful promeſſe. How precious wordes be theſe that we ſhulde deale well ⁊ truly one honeſt mā with an other without fraude. But it is a great queſtiō what mē be good ⁊ honeſt/⁊ what it is to deale well ⁊ truly. Quintus Sceuola an archebyſſhop ſayde that there was very great effycacy ⁊ ſtrength in al arbytremētes/wherī was added theſe wordes/of good fayth ⁊ cōſciēce. And he eſtemed the nature of good fayth to iſſue forth very largely/ and that it was practyſed in tuycion of wardes / in companyes/in credence/in commaundementes / in thynges bought and ſolde/take to ferme/ſet to ferme/wherby the companye of this lyfe is contynued. In this thynges they determyned that it was the offyce of a great iudge

præſertim cũ in plerisq; eſſent iudicia cõtraria, quid quẽq; cuiq; præſtare oporteret. Quo circa aſtutiæ tollendæ ſunt, eaq; malitia, quæ uult quidem uideri ſe eſſe prudẽtiam, ſed abeſt ab ea, diſtatq; plurimum. Prudẽtia eſt enim locata in delectu bonorum, & malorum, malitia ſi omnia quæ turpia ſunt, mala ſunt, mala bonis anteponit. Nec uero in prædijs ſolũ ius ciuile ductũ à natura, malitiam, fraudemq; uendicat, ſed in mancipiorũ uẽditione uẽditorũ fraus omnis excluditur. Qui enĩ ſcire debuit de ſanitate, de fuga, de furtis, præſtat edicto ædilitũ. Hæredũ alia eſt cauſſa. Ex quo intelligitur, quoniam iuris natura fons ſit, hoc ſecundũ naturam, neminem id agere, ut ex alterius prædetur inſcitia. Nec ulla pernities uitæ maior inueniri poteſt, q̃ in malitia ſimulatio intelligentiæ. Ex quo illa innumerabilia naſcuntur, ut utilia cũ honeſtis pugnare uideãtur. Quotus enim quiſq; reperietur, qui impunitate & ignoratione omnium propoſita abſtinere poſſit iniuria? Periclitemur (ſi placet) in his quidem exemplis, in quibus peccare uulgus hominum fortaſſe non putat. Neq; enim de ſicarijs, ueneficis teſtamentarijs, furibus, peculatoribus hoc loco diſſerendum eſt, qui non uerbis ſunt, & diſputatione philoſophorum, ſed uinculis, & carcere caſtigandi. Sed hæc conſyderemus, quæ faciunt hi, qui habentur boni. L. Mutij Baſilij locupletis hominis falſum teſtamentum quidam è Græcia Romam attulerunt. Quod quo facilius obtinerent, ſcripſerunt hæredes ſe cum M, Craſſum, & Quint, Hortenſium

ſpecyally where as in all men cōmenly iudgementes be contraryous)that euery honeſt man ought to perfourme promeſſe to another. wherfore craftynge is to be expled/ and that malyce & fraude whiche wylleth to be take as prudence/but it is fer from it & greatly differreth. For prudence is ſet in the diſtynctiō and muſter of good & badde. Malyce(if all that be inhoneſt be euyll)preferreth euyll thynges before good. And lawe ciuyle producte out of the law of nature not onely in tytles touchyng landes dothe chaſtyſe malyce & fraud/but alſo in the ſellyng of bondemē all fraude of the ſellers is excluded/ for the ſeller that ought to knowe of helth & ſyckneſſe/ of fugytyue rōnyng away/alſo of the thefte of the bondman/ſhal make recompence by decre of the offycers called edyles. As touchyng heyres there is an other conſyderacyon / wherof it is gadred that the lawe of nature is the fountayne of lawe. This is after the lawe that no man do that thyng wherby he may catch a prey by ignoraunce of an other man/ nor any miſchefe of this lyfe may be foūde more than ſymulacion of prudēce for a malicious entēt/ wherof thoſe innumerable inconuenyentes iſſueth / ſo that profytable thynges ſemeth to be cōtrary to honeſt thynges. For how many ſhall be founde/whiche if he may knowe to eſcape vnpunyſſhed/and that no man ſhall knowe therof / can abſtayne hym ſelfe fro wronge? Let vs make profe(if ye wyll)in theſe examples wherin the moſte parte of men (perauēture)thynke that they do not offende/nor I wyll not ſpeke of murderers/poyſoners/forgers of falſe teſtamētes/theues/pollers & ſhauers ī this place/ which muſt be puniſſhed not by wordes & diſputaciō of philoſophers but impriſonment and bondes of yron/but let vs cōſyder what ſuche men do that be acompted good & honeſt. Certayne men brought out of Grece to Rome a forged teſtament of one called Lucius Minucius a ryche man / whiche to the entent they might the eaſyerly bring their purpoſe to paſſe / dyd entytle by wrytynge Marcus Craſſus / and Quintus Hortenſius as heyres with theym

homines eiuſdem ciuitatis potentiſsimos. Qui cum illud falſum eſſe ſuſpicarentur, ſibi autem nullius eſſent conſcii culpæ, alieni facinoris munuſculum non repudiauerunt. Quid ergo, ſatin hoc eſt ut non deliquiſſe uideantur? Mihi quidem non uidetur, quanquam alterum uiuum amaui, alterum non odi mortuum. Sed cum Baſilius M. Satyrium ſororis filium, nomen ſuum ferre uoluiſſet, eumq; feciſſet hæredem, hunc dico patronũ agri Piceni, & Sabini. O turpẽ notam temporum illorum, non erat æquum principes ciuis rem habere, ad Satyriũ nihil præter nomen peruenire. Etenim ſi is, qui nõ defendit iniuriam, neq; propulſat à ſuis cum poteſt, iniuſte facit, ut in primo libro diſſerui, qualis habendus eſt is, qui non modo non repellit, ſed etiam adiuuat iniuriam? Mihi quidem etiam ueræ hæreditates non honeſtæ uidentur, ſi ſint malitioſis blanditijs officiorũ, nõ ueritate, ſed ſimulatione acquiſitæ. Antiqui in talibus rebus aliud utile interdum, aliud honeſtum uideri ſolet falſo. Nam eadem utilitatis, quæ honeſtatis eſt regula, qui hoc non præuiderit, ab hoc nulla fraus aberit, nullum facinus. Sic enim cogitans eſt iſtud quidem honeſtũ, uerum hoc expedit, res à natura copulatas audebit errore diuellere, qui fons eſt fraudum, maleficiorum, ſcelerũ omnium. Itaq; ſi uir bonus habeat hanc uim, ut ſi digitis concrepuerit, poſsit in locupletũ teſtamẽto nomen eius irrepere, hac ut nõ utantur, nec ſi exploratũ quidẽ habeat, id omnino neminẽ unquã ſuſpicaturũ. At ſi dares hanc uim M. Craſſo,

beyng men of the ſame cytie/ ⁊ mē of great power/ which Craſſus ⁊ Hortenſius whan they ſuſpecte it to be forged, and they were in no faute therin corrupte / yet they dyd not refuſe the brybe of other mens falſhode. what than/ is this ynough that they ſhal ſeme not to haue offēded? Me thynketh no/ though I loued the one beyng on lyue / the other I hated not after his deth. But whā Baſilius wolde haue had Mercus Satyrius his ſuſters ſonne to beare his name/ ⁊ made hym his heyre: I meane hym that was owner of the lordſhyp of Picenū and Sabinū. Oh that ſhamfull note of that dayes / it was not ryght that ſuche heed mē ſhulde haue ẏ goodes of a cytezyn. There came nothyng to the profyte of Satyrius but the name: for if he that defēded not wronge nor kepeth it fro his frēdes where he may, doth wronge (as I ſayd in ẏ fyrſt boke) howe ſhall he be taken whiche not onely dothe not reſyſt wronge/ but alſo helpeth to do wrong. Me thynketh alſo true enherytaūce ſemeth not honeſt / if they be obtayned by malycious flatery of offyce/ ⁊ not by truthe but by ſymulacion. But in ſuche thynges one thyng is wonte ſomtyme to ſeme profytable/ an other honeſt/ ⁊ falſly: for the ſame rule is of profyte whiche is of honeſty. who ſo euer wyll not forecaſt this/ no fraude fro hym wyll be abſent/ no miſcheuous dede. For this he caſtynge in his mynde wyll iudge: this is honeſt / but this is profytable. He dare be bolde to deuyde thynges that be annexed and coupled by nature by his erroure / whiche is the fountayne of all fraude / euyll doynges and myſcheuouſe. Therfore if a good man haue this power / that if he can cracke with his fynger ioyntes / his name maye crepe in to the teſtament of ryche men / yet he maye not vſe this power and lybertye / no althoughe that he be ſure and aſcertayned that none in the worlde ſhall haue hym at any tyme ſuſpected. But if a man wolde gyue this lybertye to Marcus Craſſus/

ut digitorum percußione hæres poßit ſcriptus eſſe, qui reuera non eſſet hæres, in foro, mihi crede, ſaltaret. Homo autem iuſtus, & his, quem ſcimus uirum bonum, nihil cuiq̃ quod in ſe trãſferat, detrahet, hoc qui admiratur, is ſe quis ſit uir bonus neſcire fatetur. At uero ſi quis uoluerit animi ſui complicatam notionẽ euoluere, iam ſe ipſe docebit eum bonum uirum eſſe, qui proſit quibus poßit, noceat nemini, niſi laceßitus iniuria. Quid ergo? hic non nocet, qui quodam quaſi ueneno perficiat, ut ueros hæredes remoueat, in horum locum ipſe ſuccedat? non ergo faciat dixerit quis quod utile ſit, quodq; expediat? immo intelligat nihil nec expedire, nec utile eſſe, quod ſit iniuſtum. Hoc qui nõ didicerit, bonus uir eſſe non poterit. Fimbriam cõſularem audiebam de patre noſtro puer, iudicẽ M. Luctatio Pythiæ fuiſſe equiti Romano ſanè honeſto, cum is ſponſionem feciſſet, ni bonus uir eſſet. Itaq; ei dixiſſe Fimbriam ſe illam rem nunquam iudicaturum, ne aut ſpoliaret fama probatũ hominem, ſi contra iudicaſſet, aut ſtatuiſſe uideretur uirũ bonum aliquem eſſe, cum ea res innumerabilibus officijs, & laudibus contineretur. Huic igitur uiro bono, quẽ Fimbria etiam, nõ modo Socrates nouerat, nullo modo uideri poteſt quicquam eſſe utile, quod non honeſtum ſit. Itaq; talis uir non modo facere, ſed nec cogitare quidem quicquam audebit, quod non audeat prædicare. Hoc nonne eſt turpe dubitare philoſophos, quæ ne ruſtici quidẽ dubitẽt? à quibus natum eſt id, quod iam tritum eſt uetuſtate prouerbiũ

that by crackyng of his fynger ioyntes he myght be wrytten and entytled as heyre/whiche in dede ought to be no heyre(truſt me)he wolde hoppe & daūce in the open courte where lawe is kept. A iuſt man/& he ỳ we repute a good man wyll take nothyng from any mā/which he wyl trāſpoſe to his owne vſe:he that wondreth & douteth in this/ confeſſeth that he knoweth not what a good mā is. But he that wyll reuolue the faſſyon of his conſcyence entangled with couetous affectiōs/ thā he ſhall teache hymſelfe that he is a good man whiche profyteth euery mā that he can/& hurteth no man except he be prouoked with wrōge. what than ſhall we ſay/this man dothe no hurte whiche brought to paſſe(as who ſayth)with a certayne poyſon of flatery that he myght remoue the ryght heyres out of the teſtamēt/to thentēt he myght ſuccede ī their place. Therfore(ſome man wyll ſay)he dothe not that whiche is profytable/& expedyent or neceſſary/ he may vnderſtande that nothynge neyther expedyent nor profytable that is iniuſt. who that hath not lerned this he can not be a good man. I beyng but a lytell chylde herde of my father that Fimbria a ſenator was iudge to Marcus Luctacius Pithia a knyght of Rome/& ſurely an honeſt mā/where as he wolde haue made depoſyciō vnder a payne/except he were a good man:therfore Fimbria dyd ſay to hym that he wolde neuer gyue ſentence in that cauſe/leeſt eyther he ſhulde robbe the honeſt mā of his name/if he ſhulde gyue ſentence vpon the contrary parte/or els he ſhulde ſeme to haue decreed that ſome man is a good mā where as that mater to be a good mā is cōpriſed with innumerable offyces & prayſes. Therfore to this good mā(whom Fimbria dyd know & alſo Socrates)in no wyſe any thyng may be ꝓfytable that is not honeſt. Therfore ſuch a mā dare not onely do/nor yet thynke any thynge that he maye not be bolde openly to ſhewe. Is it not a rebuke or no/that phyloſophers do doute of ſuche thynges wherin rude ruſtycall men make no doute/of whome this prouerbe that nowe is commen by reaſon of antyquytye dyd ryſe,

Cum enim fidem alicuius bonitatemq; laudant, dignum eſſe dicunt, qui cum in tenebris mices. Hoc quam habet uim niſi illam, nihil expedire quod nõ deceat, etiam ſi id poßis nullo refellente obtinere. Vides ne igitur hoc prouerbio, neq; Gygi illi poſſe ueniam dari neq; huic, quem paulo ante fingebam digitorũ percußione hæreditates omnium poſſe cõuertere? ut enim quod turpe eſt, id quam uis occultetur, tamen honeſtũ fieri nullo modo poteſt, ſic quod honeſtum non eſt, id utile ut ſit, effici non poteſt, aduerſante etiã, & repugnante natura. At enim cum per magna præmia ſunt, eſt cauſſa peccandi. C. Marius cum à ſpe cõſulatus longe abeſſet, & ſeptimum annũ poſt præturam iaceret, neq; petiturus unquam conſulatũ uideretur, Q. Metellum, cuius legatus erat, ſummũ uirum, & ciuem, cũ ab eo imperatore ſuo Romam miſſus eſſet, apud Po. Ro. criminatus eſt bellũ illud ducere, ſed ſi ſe conſulem feciſſent, breue tempore aut uiuum, aut mortuũ Iugurtham ſe in poteſtatem Po. Ro. reducturum. Itaq; factus eſt ille quidem conſul, ſed à fide, iuſtitiaq; diſceßit, qui optimum & grauißimum ciuem, cuius legatus & à quo miſſus eſſet, in inuidiã falſo crimine adduxerit. Nec noſter quidem Gratidianus officio boni uiri functus eſt, tunc cum prætor eßet, collegiumq; prætorũ tribuni plebis adhibuißent, ut res nummaria de cõmuni ſententia cõſtitueretur. Iactabatur enim temporibus illis nummus, ſic ut nemo poßet ſcire quid haberet. Conſcripſerunt cõmuniter edictũ cum pœna, atq; iudicio, conſtitueruntq;

For whan men prayse the truthe and goodneſſe of any mā/they ſay this prouerbe/that he is a mā worthy with whome thou may play the game called euen or odde in a derke place. what effect hath this ꝓuerbe/but onely this/ that nothyng is expedyēt or profytable that is not honeſt ye though thou maye optayne it & no man ſpeake therof. Doeſt thou not thā ſe in this ꝓuerbe that pardon can not be gyue to that Gyges nor to this Craſſus/ whome a lytel before I dyd as a ſymplitude cōtrefayte/that by knackyng of his fynger ioyntes he coulde tranſlate thenherytaūce of al men fro the right vſe. For as that thyng which is inhoneſt/though it be cloſe/yet it can in no wyſe be honeſt:ſo that thyng which is not honeſt can not be brought to paſſe that it may be profytable/where nature is agayn it and repugneth it/ but not withſtādyng where as great brybes be, it is an occaſyon to do nought. Caius Marius whan he was put fer fro the hope to optayne the offyce of a cōſull/ & the ſeuenth yere after he was in the roume of a pretor/he lay ſtyll abiecte ⁊ ſemed that he ſhulde neuer deſyre the dignite of a cōſul/accuſed before the Romaynes Quintus Metellus(whoſe embaſſadour he was/ an excellēt man & cytezyn/ at that tyme he was ſent by hym his graūde capitayne to Rome) ſayeng that the ſayd Metellus dyd prolonge the war/ & if ſo be the Romaynes wolde haue made hym conſull that he wolde ī ſhorte tyme brīg Jugurtha quicke or deed in to the Romaynes hādes: & ſo he was made conſull(but yet he dyd deflecte fro truthe & iuſtyce/which brought hym in to hatred by his falſe accuſacyō a very good & a ſadde cytezyn/whoſe embaſſadour he was/& ſent by yͤ ſayd Metellus to the romayns. Nor my coūtrey man Gratidianus vſed thoffyce of a good mā that tyme whā he was pretor/⁊ the knyghtes for the ſhyres ioyned with the cōpany of the pretours or mayres, ſo that the mater touchīg the valure of coyned money ſhuld be taxed & rated after their arbytremēt amonge thēſelfe Money was toſſed vncertainly in thoſe dayes, ſo that no mā knew what he had of certayn. They decreed among thē & made a ſtatute vnder payne or forfayte ⁊ by taxaciō/

ut omnes ſimul in roſtra poſt meridiem deſcẽderet, & cæteri quidem alius alio. Marius à ſubſelliis in roſtra recta, idq; quod communiter compoſitum fuerat, ſolus edixit. Et ea res (ſi quæris) ei magno honori fuit, omnibus enim uicis ſtatuæ factæ, & ad eas thus & cerei. Quid multa? Nemo multitudini fuit charior. Hæc ſunt, quæ cõturbant homines in deliberatione nonnunquam, cum id in quo uiolatur æquitas, non ita magnum, illud autem, quod ex eo paritur permagnum uideatur, ut Mario præripere collegis, & tribunis Plebis popularẽ gratiam, non ita turpe conſulem ob eam rem fieri, quod ſibi tũc propoſuerat, ualde utile uidebatur. Sed omniũ una regula eſt, quam cupio tibi eſſe notiſsimam, aut illud, quod utile uidetur, turpe ne ſit, aut ſi turpe eſt, ne uideatur eſſe utile. Quid igitur? poſſumus ne aut illũ Marium uirum bonũ iudicare, aut hunc? Explica, atq; excute intelligẽtiam tuam, ut uideas quæ ſit in ea ſpecies, forma, & notio boni uiri, Cadit ergo in uirum bonum mentiri emolumẽti ſui cauſſa, criminari, præripere, fallere? Nihil profecto minus. Eſt ergo ulla res tanti, aut commodum ullum tam expetendũ, ut uiri boni & ſplendorem & nomen amittas? quid eſt quod adferre tantum utilitas iſta (quæ dicitur) poſsit quantum auferre, ſi ſibi boni uiri nomen eripuerit, fidem, iuſtitiamq; detraxerit? Quid enim intereſt utrum ex homine ſe conuertat quis in beluam, an in hominis figura immanitatẽ gerat beluæ? Quid qui omnia recta, & honeſta negligũt dũmodo potentiam conſequatur,

after they all came downe at after noone in to the cōmen place where as lawes were ꝓmulgate ⁊ publiſſhed / ⁊ all other one wēt this way another that way. Marius came the ſtreight way fro the paruers place i to the cōmē place/ and there they onely publyſſhed the ſtatute or acte that was cōcluded amōgeſt them. Howe greatly (if thou aſke) this mater was to his honour: in euery ſtrete ymages of hym where made, ⁊ encenſe and waxe were offred to thē. what ſhulde I make many wordes/ there was neuer mā better beloued of the cōmentry. These purchaſe of goodes be they that troubleth men in takyng delyberacion ſomtyme/ whā that thyng wherin equite ⁊ iuſtyce be broken the vauntage that is get by this dealyng is not ſo great/ it may ſeme very great profyte/ and as Marius thought not to be ſo great reproche to take from his felowſhyp/ ⁊ fro the knyghts of the ſhyre the fauour of the people/ and that he was made conſull for that cauſe. That thyng that thā he entēded for hymſelfe ſemed very ꝓfytable to hym. But there is one rule of all theſe premyſſes whiche I coueyte to be very well knowē to the/ that eyther that thīg that ſemeth ꝓfytable is not diſhoneſtye/ or els if it be diſhoneſt it may not ſeme to be profytable. what than ſhall we ſay/ may we not iudge that Marius is an honeſt mā that accuſed Metellus wrongfully? or this Gratidianus that begyled his company? Set forth ⁊ beare out thy wyt and vnderſtādyng that thou may ſe ⁊ perceyue what faſſyon/ forme/ ⁊ knowlege of a good mā is in it. Doth it thā chaūce to a good mā to lye bycauſe of his ſyngler auayle/ to accuſe wrōfully / to preuent diſceytfully / to begyle an other mā. Surely nothyng leſſe. Than thus/ is that ꝓfyte ſo moche worth / or any vaūtage to be ſo deſyred yͭ thou ſhalte loſe the fame ⁊ name of an honeſt mā? what is that whiche is called ꝓfyte that may auātage a mā ſo moche but it may take more frō him/ if it take away the name of an honeſt man? if it wͭdraw truth ⁊ iuſtyce. For what difference is it wheder a mā trāſforme him ſelfe fro a mā into a beeſt/ or els bere vnder the forme of a mā the crudelite of a beeſt? what ſhal I ſay of thē that ſetteth all honeſt ⁊ iuſt thīges at nouȝt ſo that they may obtayn rule ⁊ power

nonne id faciũt, quod is, qui etiam ſocerum habere uoluit, cum cuius ipſe audacia potens eſſet? utile enim uidebatur plurimũ poſſe alterius inuidia. Id quam iniuſtũ in patria, quam inutile, quam turpe eſſet, non uidebat. ipſe autem ſocer in ore ſemper Græcos uerſus Euripidis de Phœniſſis habebat, quos dicam ut potero, incondite fortaſſe, ſed tamen ut res poſſit intelligi. Nam ſi uiolandũ eſt ius, regnandi gratia uiolandum eſt, alijs in rebus pietatem colas. Capitalis Etheocles, uel potius Euripides, qui id unum ſolum quod omnium ſceleratiſſimũ fuerat exceperit. Quid igitur minuta colligimus, hereditates, mercaturas, uẽditiones fraudulentas? Ecce tibi, qui rex Pop. Rom. dominuſq; omnium gentiũ eſſe concupierit, idq; perfecerit. Hanc cupiditatem ſiquis honeſtum eſſe dicit, amens eſt. Probat enim legũ, & libertatis interitum, earumq; oppreſſionem tetram, & deteſtabilem glorioſam putat. Qui autem fatetur honeſtum non eſſe in ea ciuitate, quæ libera fuit, quæq; eſſe debeat, regnare, ſed ei qui id facere poſſit, eſſe utile, qua hunc obiurgatione, aut quo potius conuitio, à tanto errore coner auertere? poteſt enim (Dij immortales) cui quam eſſe utile fœdiſſimum & teterrimum parricidiũ patriæ? quamuis is, qui ſe obſtrinxerit, ab oppreſſis ciuibus parens nominetur. Honeſtate igitur dirigenda utilitas eſt, & quidẽ ſic, ut hæc duo uerba inter ſe diſcrepare, ſed tamen unum ſonare uideantur. Nunc ab eo ad uulgi opinionem, quæ maior utilitas, quam regnandi eſſe poſſit? Nihil contra inutilius ei,

whether or no duche he not that whiche Pompeus dyd/ which wolde haue that mā to his father i lawe by whoſe madhardyneſſe he myght be of great power? for it ſemed to him profytable to beare great power through the enuy and hate of an other man. He dyd not perceyue what iniury that was agayne his natyue countrey/ howe vnprofytable, how diſhoneſt. His fader in lawe had alway theſe verſes of the poete Euripides / of the tragedye called Pheniſſe/ whiche I wyll ſay as I can / perauenture out of ordre/ but not withſtandyng ſo that the mater may be vnderſtande. For if the lawe ſhulde be broken / it is to be broken for the entent to gouerne ⁊ rule / in al other thynges kepe equite ⁊ thy duty to god ⁊ mā. Etheocles was a miſcheuous man/ ⁊ rather Euripides/ which but only one exception whiche of all other miſcheues was deteſtable. What do we than gather theſe ſmale fautes/ enherytaūce merchaundyſe/ byeng and ſellyng fraudulent? Regarde thy ſelfe what dyd Ceſar / that coueyted to be onely gouernour of the Romaynes/ and lord of al the worlde/ and brought it to paſſe? If any man ſaye that this deſyre is honeſt he is mad/ for he aloweth the diſtruction of lawes and lybertyes / and he iudgeth thoppreſſyon of the ſame cruell ⁊ deteſtable to be gloryous ⁊ laudable. For he that confeſſeth that it is not honeſt to beare rule in the cytye/ whiche hath be fre ⁊ whiche ought to be fre/ but that it is ꝓfytable to hym that myght be of power to do it/ by what chydyng ⁊ rather retargyng or reuylyng may I compace to turne the man fro ſo great an errour? for may (oh you goddes immortall) the moſt ſhamfull ⁊ moſt cruell diſtruction of a mans natyue coūtrey be a thynge profytable? though that man ẏ hath boūde hymſelfe therto is named of the cytezyns father of the coūtrey. Therfore ꝓfyte is to be ordred by honeſty/ ⁊ after the maner that theſe two wordes or termes ſemeth to be different one frō another/ but yet not witſtandyng to ſoūde to one entent. Nowe I returne to the opynyon of the cōmen people/ what maye be more profyte than to gouerne and rule. Upon the contrary parte I fynde nothyng more vnprofytable to hym

qui id iniuſte conſecutus ſit, inuenio, cum ad ueritatem cœpi reuocare rationem. Poßunt enim cuiquam eße utiles angores, ſolicitudines, diurni & nocturni metus, uita inſidiarum, periculorumq; plenißima? Multi iniqui, atq; infideles regno, pauci boni ſunt inquit Accius. At cui regno? quod à Tantalo, & Pelope proditum iure obtinebatur. Nam quanto plures ei regi putas, qui cum exercitu Pop. Rom. populum ipſum Romanum oppreßiſſet, ciuitatemq; non modo liberam, ſed etiam gentibus imperantem, ſeruire ſibi coegiſſet? Hunc tu quas conſcientia labes in animo cenſes habuiſſe? Quæ uulnera? Cuius autem uita ipſi poteſt utilis eſſe, cum eius uitæ ea conditio ſit, ut qui illam eripuerit, in maxima gratia futurus ſit & gloria? Quo ſi hæc utilia non ſunt, quæ maxime uidentur, quæ plena ſunt dedecoris, ac turpitudinis, ſatis perſuaſum eſſe debet, nihil eſſe utile, quod non honeſtum ſit. Quanquam id quidem cum ſæpe alias, tum Pyrrhi bello à Caio Fabricio conſule iterum, & à ſenatu noſtro iudicatum eſt. Cum enim rex Pyrrhus Pop. Rom. bellum ultro intuliſſet, cumq; de imperio certamen eſſet cum rege generoſa, ac potenti, perfuga ab eo uenit in caſtra Fabricij, eiq; eſt pollicitus ſi præmium ei propoſuiſſet ſe, ut clam ueniſſet, ſic clam in Pyrrhi caſtra rediturum, & cũ ueneno necaturum. Hunc Fabricius reducendum curauit ad Pyrrhum, idq; eius factum à ſenatu laudatũ eſt. Atqui ſi ſpeciem utilitatis opinionemq; quærimus, magnum illum bellud, perfugamus,

that iniuſtly doth optayne/ whan I begyn to reuoke reaſon to the truthe: May theſe thynges be ꝓfytable to any man / greuaūce/ heauyneſſe/ dredes by day ⁊ nyght/ a lyfe very ful of treaſon ⁊ daungers. Many be iniuſt ⁊ vntrue to hym that is in reigne and empyre/ ⁊ fewe good/ as the poete Accius wryteth in a tragedy called Thyeſtes. But to what reigne or domynion? to ſuch a reigne as was optayned by Tantalus/ and left to his ſonne Penelopes as a ryght of enherytaunce ⁊ ſucceſſyon and iuſte tytle. For how many mo thynkeſt thou were iniuſt to the gouerner whiche with an army of the romaynes oppreſſed the ſelfe ſame romaynes/ ⁊ made them ſubiecte to hym/ the cyte of Rome/ whiche cyte was not onely a fre cyte/ but alſo that ruled al the worlde. what poyſonful blemiſſhe of cōſciece iugeſt thou ȳ he had ī his mynde? what woūded remorſe. whoſe lyfe may be ꝓfytable to hymſelfe/ whan the maner of his lyfe is ſuch/ that he wiche taketh it from hym ſhall be take in moſt fauour ⁊ fame. wherfore if thoſe thynges be not profytable which ſeme ſpecially/ by reaſon they be full of ſhame ⁊ reproche. This ſhulde be a perfyte cōcluſyō/ that nothyng is ꝓfytable which is inhoneſt. Though this was iudged ſo bothe oft at other tymes / ⁊ alſo in the warre of Pyrrhus/ by Caius Fabricius the ſecōde tyme that he was cōſul/ alſo by our ſenate or counſayle of Rome For whā king Pyrrhus made batayle of his owne mynde agayne the romaynes / and what tyme diſſencyon was who ſhulde gouerne ⁊ rule with a gentyll prīce ⁊ puyſſaunt / a certane traytour came fro hym in to the tentes of Fabricius/ ⁊ promyſed hym if he wolde apoynt to hym a couenyēt rewarde/ ȳ he hymſelfe lykewiſe as he come priuely/ ſo priuely he wolde returne ī to the tētes of Pyrrhus and diſtroye hym by poyſon. Fabricius cauſed this traytour to be brought agayne to Pyrrhus / and that dede was well alowed by the ſenate ⁊ counſayle of Rome: but if we ſeke for the colour ⁊ opinyon of profyte/ ſurely this one traytour wolde haue take away that great warre

& grauem aduerſarium imperij ſuſtuliſſet. Sed magnum dedecus & flagitium, qui cum laudis certamen fuiſſet, cum non uirtute, ſed ſcelere ſuperatum. Vtrū igitur utilius uel Fabricio, qui talis in hac urbe, qualis Ariſtides Athenis fuit, uel ſenatui noſtro, qui nūquam utilitatem à dignitate ſeiunxit, armis cum hoſte certare, an uenenis. Sin gloriæ cauſſa imperium expetenda eſt, ſcelus abſit, in quo non poteſt eſſe gloria. Sin ipſe opes expetuntur quoquo modo, non poterunt eſſe utiles cum infamia. Non igitur utilis L. Philippi. Qu. filij ſententia, quas ciuitatis L. Sylla pecunia accepta ex Senatuſconſulto liberauiſſet, ut hæ rurſus uectigales eſſent. Neq; his pecuniam, quam pro libertate dederant, redderemus, ei Senatus eſt adſenſus. Turpe imperio, Peratarū enim melior fides, quam Senatus. At aucta uectigalia. Vtile igitur, quouſq; audiebunt dicere, quicquā utile quod non honeſtum? poteſt autem ulli imperio, quod gloria debet fultum eſſe, & beneuolentia ſociorum, utile eſſe odium, & infamia? Ego etiam cum Catone meo ſæpe diſſenſi, nimis enim mihi uibebatur, præfracte ærarium, uectigaliaq; defendere, omnia publicanis negare, multa ſocijs, cum in hos benefici eſſe deberemus, cum illis ſic agere, ut cum colonis noſtris ſoleremus. Eoq; magis quod illa ordinum coniunctio ad ſalutem Reipubl. pertinebat. Male etiam Curio, cum cauſſam transpadanorum æquam eſſe dicebat, ſemper autem addebat, uincat utilitas, potius diceret non eſſe æquum, quia non eſſet utilis Republic.

& that great ennemy of themppyre of Rome. But it wolde haue be a great reproche & ſhamfull dede/ that Pyrrhus with whom warre was kept on lande & ſee ſhulde haue be ſo ſubdued/ not by manhode / but by myſchefe & murdre. Than whether is it more profyte eyther to Fabricius/ that was ſo noble a mā in this cyte of Rome as Ariſtides was in Athenes/ or els to our ſenate & coūſayle to Rome which neuer deuorſed profyte fro the dignyte of honeſty to warre by weapōs in batayle or by poyſonīges? If empyre be deſyred bycauſe of glory & fame / let miſchefe and murdre go/ wherin may be no glory & fame. But if ſo be rycheſſe be deſyred they may not in any wyſe be ꝓfytable with infamy had. Therfore the ſentēce of Lucius Philyppus/ ſonne to Quintus/ is not ꝓfytable/ that the cytes that Lucius Sylla made fre (a certayne ſome of money take therfore by decree of the ſenate) that they ſhulde be tributers agayne (nor we ſhulde not reſtore to thē the money which they gaue for their fredom: the ſenate aſſēted to that ſentēce / which was diſhoneſtye to their empyre. The fayth & promeſſe of the pyrates & robbers vpon the ſee is better than that promeſſe of the ſenate. But the cuſtome & trybute was encreaſed/ therfore it was ꝓfytable How longe wyl they be bolde to ſay any thyng to be profytable that is not honeſt? May hate & infamy be ꝓfytable to any empyre that ſhulde be ſupported by glory/ good fame & beneuolēce of our ayders & frendes? I haue ofte be of the contrary opynyon with Cato my famylier/ for me thought that he dyd defende to obſtynately the commen treaſurye and cuſtomes/ and denyed all thynges to the cuſtomers/ and many thinges to his felowes/ where as we ſhulde be to them benefyciall. we were wonte ſo to deale with them as with forayne & oute dwellers that had their fredome in Rome/ and in ſomoche that the company of the ordre belongeth to the welthe of the cōmenty of Rome. Alſo Curio dyd euyll where as he ſayd that the cauſe of the people dwellynge beyōde was iuſt/ euer he added this terme or ſentence: let profyte preuayle or haue preemynence. He ſhulde haue rather ſayd that it was no ryght/ bycauſe it was not profytable to the cōmen welthe.

quam cum utilem eſſe diceret, non eſſe æquam fateretur.

MVLTAE FORMVLAE CAſuum atq; exempla, in quibus uidetur pugnare utilitas cum honeſtate.

PLenus eſt ſextus liber de officijs Hecatonis talium quæſtionum, ſit ne boni uiri in maxima caritate annonæ familiam non alere, in utranq; partem diſputat, ſed tamen ad extremum utilitate putat officium dirigi, magis quam humanitate. Quærit ſim mari iactura facienda ſit, equi ne pretioſi potius iacturam faciat, quam ſeruuli utilis. Hic alio res familiaris, alio ducit humanitas. Si tabulam de naufragio ſtultus arripuerit, extorquebit ne eam ſapiens ſi potuerit? Negat, quia ſit iniurium. Quid dominus nauis, eripiet ne ſuum? minime. Non plus quam ſi nauigantem in altum eijcere de naui uelit, quia ſua non ſit, quod enim peruentum ſit eo, quo ſumpta nauis eſt, non domini eſt nauis, ſed nauigantium. Quid ſi in una tabula ſint duo naufragi æque ſapientes, ſibi uterq; rapiat, an alter cedat alteri, cedat uero, ſed ei, cuius magis interſit uel ſua, uel Reipub. cauſſa uiuere. Quid hæc paria in utroq;? nullum erit certamen, ſed quaſi in ſorte, aut in dimicando uictus alteri cedat alter. Quid ſi pater fana expilet, cuniculos agat in ærariũ, indicet ne id magiſtratibus filius? Nefas id quidem eſt, quinetiam defendat patrem, ſi arguatur. Igitur patria non præſtabit omnibus officijs. Immo uero,

than where as he ſayd that it was profytable/ he ſhulde confeſſe that it was not iuſte.

¶ Here Tully gadreth a certayne formes and prety queſtyons ⁊ mery/ wherin profyte ſemeth to moue vs to one thynge/ and honeſty to an other.

THe ſyxth booke of Hecaton the phyloſopher of his offyces is full of ſuche queſtyons/ whether it belongeth to a good man to kepe an houſholde in moſte derthe of corne? He diſputeth vpon bothe partes/ but not withſtandyng he iudgeth in concluſyon that the offyce ⁊ dutye of a man is ordred rather by profyte than by honeſty. He aſketh an other queſtyon: If loſſe muſt be take in the ſee/ whether he ſhulde take the loſſe of his horſe moche worthy or els of his ſeruaūt lytle worthy? In this caſe the profyte of houſholde moueth a man one wayes/ ⁊ humanyte an other wayes. Alſo if a folyſſhe body take vp a table in a ſhyp wrake/ ⁊ a wyſe man plucketh it from hym if he can/ he denyeth that/ for it may be wrong. what ſhal the mayſter of the ſhyp do/ ſhall he not take his owne? No ſayth Hecato/ no more thā if he wyll caſt out of his ſhyppe in to the ſee a man that can ſwym/ for they be not his owne: for the ſhyp belōgeth not to the mayſter/ but to thē that take ſhyp in it/ vnto ſuche tyme that the ſhyp returne to that place where it was hyred. what if ſo be two mē which fal to ſhyp wrake vpon one borde/ which be lykewyſe/ maye any of thē take it to hymſelfe/ or els the one gyue place to the other? The one (ſay the Hecato) muſt gyue place to the other/ but to him to whom it is more ꝓfyt vpō his owne parte/ or els bycauſe of the cōmen welth to lyfe. what if theſe qualytees be lyke in them bothe? There ſhall be no ſtryfe but (as who ſay) by lot or els in fyghtyng he that is ouercome muſt gyue place to the other. what if the father robbe a churche/ or vndermyne the cōmen treaſury/ may his ſonne vtter that to the offycers? That is wronge/ but he ſhall defende his father/ ye thoughe he be reproued therby. ¶ Than thus/ ſhall not our countrey be preferred before all maner offyces? yes trewly.

ſed ipſi patriæ cōducit pios habere ciues in parētes. Quid ſi tyrannidem occupare, ſi patriam prodere conabitur pater, ſilebit ne filius? Immo uero obſecrabit patrem, ne id faciat, ſi nihil proficiet, accuſabit, minabitur etiam ad extremum, ſi ad perniciem patriæ res ſpectabit, patriæ ſalutem anteponet ſaluti patris. Quærit etiam, ſi ſapiens adulterinos nummos acceperit imprudens pro bonis, cum id reſcierit, ſoluturus ne ſit eos, ſi cui debeat pro bonis, Diogenes ait, Antipater negat, cui potius adſentior. Qui uinum fugiens, uendat ſciens, debeat ne dicere? non neceſſe putat Diogenes, Antipater uiri boni exiſtimat. Hæ ſunt quaſi controuerſiæ in iure Stoicorum. In mancipio uendendo, dicenda ne uitia? Non niſi ea, quæ niſi dixeris, redhibeatur mancipium iure ciuili. Sed hic mendacem eſſe, aliatorem, furacem ebrioſum, alteri dicenda uidantur, alteri non dicenda uidentur. Si quis aurum uendens, aurichalcum ſe putat uendere, indicet ei ne uir bonus aurum illud eſſe, an emat denario, quod ſit millenarium? Perſpicuum eſt iam, & quid mihi uideatur, & quæ ſit inter eos philoſophos, quos nominaui controuerſia. Pacta & promiſſa ſemper ne ſeruanda ſint, quæ nec ui, nec dolo malo (ut Prætores dicere ſolent) facta ſint? Si quis medicamentum cuipiam deberit, ad aquam intercutem, pepigeritq́, ne illo medicamento unquam poſtea uteretur, ſi eo medicamento ſanus factus fuerit, & annes aliquot poſt inciderit in eundem morbū, nec ab eo, qui cum pepigerat, impetret,

But it is pꝛofytable to a coũtrey to haue louyng cytezyns to warde their parẽtes. what if the father wyll be aboute to occupy tyꝛanny/ if he wyll be aboute to betray his coũtrey/ ſhall the ſonne cõcele it? He ſhall rather entreate his father that he do it not: if he can not ſo pꝛeuayle/ he ſhall rebuke hym ⁊ thꝛetten hym alſo. To cõclude if the mater come to the vtterly diſtructyon of his countrey/ the ſonne muſt pꝛefer the welthe of his countrey befoꝛe his fathers welthe. Hecato aſketh alſo if a wyſe mã haue receyued oꝛ take euyl money foꝛ good vnknowĩg/ after he knoweth therof whether ſhall he pay thẽ foꝛ good/ if he be in dette to any man? Diogenes ſaythe ye/ Antipater ſaythe nay/ with whom I rather holde. He that wetigly ſelleth wyne that is apayꝛig/ whether is he boũde to ſhewe that oꝛ no? Diogenes iudgeth not to be neceſſary/ Antipater iudgeth it to be the offyce of an honeſt mã to ſhewe it. These queſtyons be as who ſayth trauers in the lawe of the ſtoikes oꝛ Socrates ſchole. In ſellynge of a bonde man whether ſhulde his fautes be ſhewed oꝛ no? No/ except thoſe which vnleſſe thou ſhewe/ the bondman muſt be take agayne by law ciuyle. But in this caſe it appereth to the one philoſopher that theſe vyces/ to be a lyer/ a gamener/ a robber/ a dꝛonkerde ſhulde not be diſcloſed. If a man ſellynge golde thynketh that he ſelleth latẽ metall/ hauynge colour lyke golde/ ſhal a good mã diſcouer that it is good golde/ oꝛ els bye foꝛ a peny that whiche is woꝛthe a thouſãde poũdes? It is manyfeſt nowe bothe what I iudge/ ⁊ what trauers is amonge theſe phyloſophers of whome I haue ſpoken, whether oꝛ no cõuenaũtes ⁊ pꝛomyſſe whiche were made neyther by falſe diſceyte noꝛ by cõpulſyon (as the pꝛetoꝛs be wont to ſay) ought to be kepte? If a phiciſyõ mynyſtre to any mã a medecyne foꝛ the dꝛopſy/ ⁊ bynde the pacyẽt by cõpactyõ that he ſhall not vſe that medicyne any tyme after/ if he be made hole by that medicyne/ ⁊ within foure yeres after he chaũce to fal into the ſame diſeaſe/ noꝛ/ can not optayne of hym with whome he made compactyon

qui item eo liceat uti, quid faciendum ſit; cum ſit is inhumanus, qui non concedat uti, nec ei quicquam fiat iniuriæ? Vitæ & ſaluti conſulendum eſt. Quid ſi quis ſapiens rogatus ſit ab eo qui hæredem faciat, cum ei teſtamento ſexſtertium millies relinquatur, ut antequam hæreditatem adeat, luce palam in foro ſaltet, idq́ ſe facturum promiſerit, quod aliter eum hæredem ſcripturus ille non eſſet, faciat quod promiſerat ille, nec ne? Promiſiſſe nollem, & id arbitror fuiſſe grauitatis, ſed quoniam promiſerit ſaltare in foro, turpe ducet, honeſtius mentietur, ſi ex hæreditate nihil ceperit, quam ſi ceperit, niſi forte eam pecuniam in Reipub. magnum aliquod tempus contulerit, ut uel ſaltare eum, cum patriæ conſulturus etiam ſit, turpe non ſit. At ne illa quidem promiſſa ſeruanda ſunt, quæ non ſunt his ipſis utilia, quibus illa promiſeris. Sol Phaetonti filio (ut redeamus ad fabulas) facturum ſe eſſe dixit, quicquid optaſſet, optauit ut in currum patris tolleretur. Sublatus eſt, atq́ inſanus antequam conſtitit, ictu fulminis deflagrauit. Quanto melius fuerat in hoc, promiſſum patris non eſſe ſeruatum. Quid quod Theſeus exegit promiſſum à Neptuno? cui cũ tres opiniones Neptunus dediſſet, optauit interitum Hippolyti filij ſui, cũ is patri ſuſpectus eſſet de nouerca, quo optato impetrato, Theſeus ĩ maximis fuit luctibus. Quid? Agamẽnon cũ deuouiſſet Dianæ, quod ĩ ſuo regno pulcherrimũ natum eſſet illo anno, immolauit Iphigeniam,

that he may vſe it/what is to be done whan that phiſyciō is inhoneſt that wyll not graūt the pacyent to vſe it/ nor any wronge is done to the phiſyciō? Hecato iudgeth that a man muſt haue regarde to his lyfe & helthe/and breake compaction.what if a wyſemā be requyred of ſuch a man that may make an heyre/where as he leaueth vnto hym in his teſtamēt two thouſande poūdes and an halfe: vpō that cōdycion that before he entred poſſeſſyon he ſhulde openly in the day tyme daunce in the market place/ & he promyſeth that he wyll do it/bycauſe vnleſſe he wyll do it he wolde not intytle hym his heyre/maye he performe ꝧ he ꝓmyſed or no? Sayth Tully I wolde not that he had made promeſſe/& I iudge that thyng had bē a poynte of grauyte:but for as moche as he promyſed to daūce in the open market he wyll thynke it diſhoneſt/ he myght more honeſtly make a lye/though he toke nothynge of that enherytaūce than if he ſhulde take it/except perauenture he wolde gyue that money to the vſe of the cōmen welthe in ſome tyme of great neceſſyte:ſo at the leeſt wayes it is no diſhoneſty to hym to daūce/whan he hath reſpecte of the welth of his coūtrey.But thoſe promeſſes be not to be obſerued which be not profytable to theſe perſons to whom promeſſe is made. Phebus Apollo ſayde he wolde do for his ſonne Phaeton(that we may returne to poetes hyſtoryes)what ſo euer he wolde deſyre. Phaetō deſyred that he myght be ſet vp i to his fathers charet. He was ſet there & ſo he flamed al in fyre by a clappe of thūder & layte/before he coulde ſtay his iourney. Howe moch better had it be in this caſe yͤ fathers ꝓmeſſe had not be kepte? what ſhal we ſay that Theſeus exacted & required ꝓmeſſe to be kepte of Neptune/to whom where as Neptune gaue thre choyſes/Theſeus deſyred the deth of Hyppolitꝰ his ſōne bycauſe he was ſuſpected of adultery with his ſtepmother Phedra/whiche deſyre optayned Theſeꝰ was vexed & great ſorowes & mournīges.what ſhall we ſay of Agamēnon/which after he had promeſſed to the goddeſſe Diana the moſt beutyful thing that ſhulde be brought forth that yere:he offred vp Iphigenia/than the whiche Iphigenia

qua nihil erat eo quidē anno natum pulchrius. Promiſſum potius non faciendum, quam tam tetrum facinus admittendum fuit. Ergo & promiſſa nō facienda nonnunquā, neq; ſemper depoſita reddenda ſunt. Si gladium quis apud te ſanæ mentis depoſuerit, repetat inſaniens, reddere peccatum ſit, non reddere officium. Quid ſi is, qui apud te pecuniam depoſuerit, bellum inferat patriæ, reddes ne depoſitum? non credo. Facies enim cōtra Rembub. quæ debet eſſe chariſſima. Sic multa, quæ naturæ honeſta uidentur eſſe, temporibus fiunt non honeſta, facere promiſſa, ſtare conuentis, reddere depoſita, cōmutata utilitate, fiunt non honeſta. At de his quidem, quæ uidentur eſſe utilitatis contra iuſtitiam, ſimulatione prudentiæ, ſatis arbitror dictum. Sed quoniam à quatuor fontibus honeſtatis, primo libro officia duximus, in eiſdem uerſabimur, cum docebimus ea quæ uidentur eſſe utilia, neq; ſunt, quam ſint uirtutis inimica. Ac de prudentia quidē (quam uult imitari malitia) Itemq; de iuſtitia (quæ ſemper eſt utilis) diſputatum eſt.

SVPRA DE VTILITATE QVAE cum iuſtitia pugnat, diſputat. Hic de ea utilitatis ſpecie quæ à conſtantia diſſidet.

RElique ſūt duæ partes honeſtatis, quarū altera in animi excellētis magnitudine & præſtātia cernitur, alteraī cōformatiōe, et moderatiōe cōtinētiæ, & tēperātiæ. Vtile uidebatur Vlyſſi, ut quidā Poetæ tragici ꝓdiderūt,

nothyng that yere was brought forthe more beautyfull. ¶ The promeſſe rather was not to be fulfylled thã ſo cruel a dede ſhulde be doone. Therfore bothe promeſſe many tymes are not to be fulfylled / nor pledges at all tymes be not to be reſtored. If ſo be a mã delyuer to the a ſworde beynge in his ryght mynde / after he is fallen madde he demaundeth it agayne / to reſtore it thou doeſt offende / not to reſtore it is thy offyce and dutye. what if he that hath put in truſte with the a ſõme of money make warre agayne thy countrey / ſhalt thou reſtore that money lefte with the? Tully ſaythe I thynke no / for thou ſhalte do agayne the cõmen welthe / whiche ſhulde be moſte dereſt beloued with thy ſelfe. And ſo many thynges whiche ſemeth honeſt of nature do chaunce ſomtyme to be not honeſt. To make promeſſe / to perfourme cõuenaunt / to reſtore thynges of credyte / the nature of profyte chaunged be made inhoneſt. But of theſe thynges whiche ſemeth to be of profyte cõtrary to iuſtyce / by colour of prudence / I thynke that I haue ſuffyciently ſayd / but for as moche as I haue drawen in the fyrſte booke offyces / out of the foure fountaynes of honeſtye / I wyll contynewe in the ſame / where as I teache thoſe thynges whiche ſeme to be profytable / and be not ſo / bycauſe they maye be enemyes to vertue. And of prudence whome malyce dothe folowe / and alſo of iuſtyce whiche is euer profytable it is diſputed.

¶ Of force and magnanymytie.

There be two other partes of honeſtye remaynyng / wherof the one is perceyued in the boldneſſe and valyaunce of an hye and an excellent ſtomak / the other in conformytye and moderaũce of contynent lyuynge and temperaunce. It ſemed profytable vnto Ulyſſes (as ſome tragycall poetes haue wrytten.

Nam apud Homerum optimum authorem talis de Vlyſſe nulla ſuſpitio eſt, ſed inſtimulant cum Tragœdiæ) ſimulatione inſaniæ militiam ſubterfugere noluiſſe, non honeſtum conſilium. At utile (ut aliquis fortaße dixerit) regnare, & Ithaſe uiuere otioſe, cũ parentibus, cum uxore, cum filio. An aullum tu decus in quotidianis periculis & laboribus, cum tranquillitate hac conferẽdum putas? Ego uero iſtam contemnendam & abijciendam, quoniam quæ honeſta non ſit, ne utilem quidem eſſe arbitror. Quid enim auditurum putas fuiße Vlyſſem, ſi in ipſa ſimulatione perſeueraßet, qui cum maximas res geßerit in bello, tamen hac audiuit ab Aiace. Cuius ipſe princeps iuſiurandi fuit. Quod omnes ſcitis, ſolus neglexit fidem. Furere aßimulauit, ne quo iret, inſtitit. Quod ni Palamedis perſpicax prudentia. Iſtius percepiſſet malitioſam audaciã. Fide ſacrata ius perpetuo falleret. Illi uero non modo cum hoſtibus, uerumetiam cum fluctibus, id quod fecit, dimicare melius fuit, q̃ deſerere conſentientem Græciam ad bellum barbaris inferendum. Sed dimittamus & fabulas, & externa ad rem factã, noſtramq; ueniamus. M. Attilius Regulus, cum conſul iterum in Africa ex inſidijs captus eßet, duce Xantippo Lacedemonio, imperatore autẽ patre Annibalis Hamilcare, iuratus mißus eſt ad Senatum, ut niſi eſſent redditi Pœnis captiui nobiles quidam, redderet ipſe Carthaginem. Is cũ Romam uenißet, utilitatis ſpeciẽ uidebat, ſed eã, ut res declarat, falſam iudicauit, que erat talis,

for in Homerus the chefe authour there is no ſuche ſuſpycion of Ulyſſes/ but tragedyes do note him ſo wrongfully that Ulliſſes was willīg priuely to eſcape the warre agayn the troyens by ſymulaciō of madneſſe. That was not honeſt coūſayle/ but notwithſtādyng ꝓfytable (as ſome man parauēture wyll ſay) to reigne ⁊ lyue in Ithaca at his eaſe quietly with his parētes/ with his wyfe/ with his ſonne. Thynkeſt thou that any worſhip is ī daily peryls/ labour/ ⁊ payne to be cōpared with that trāquylite ⁊ reſt? I iudge that trāquylite to be diſpyſed ⁊ to be caſt away bycauſe it is not honeſt/ ⁊ I thynke it is profytable. For what thynkeſt thou that Ulyſſes ſhulde haue herde if he had remayned in that ſymulacion/ which where as he had done very great actes ⁊ feates in warre/ yet he herde theſe wordes of Aiax. He which al ye know onely ſet nought by his faythful ꝓmeſſe of that ſolemne othe/ wherof he was chefe begynner/ he coūtrefet madneſſe to thentent that he wolde not go thyder as he purpoſed: wherfore had not the circūſpecte prudēce of Palamydes perceyued the malycious madhardyneſſe of this Ulyſſes, Ulyſſes wolde haue vtterly broke the lawe of armes that was cōfyrmed by his ſolēne othe: it had be better for hym not only to haue fought with his enemyes but alſo with the flodes of the ſee as he dyd/ than to forſake his coūtrey Grece/ whiche were cōfederate to make warre with aliens the troyens. But let vs now let go fables ⁊ ieſtes of ſtraūge coūtreys/ ⁊ let vs come to a thing done in dede/ ⁊ by our coūtrey mē the Romaynes. Attilius Regulus whā he was ſecōde tyme conſull/ ⁊ was take priſoner ī Affryke by a falſe trayne/ ⁊ that vnder Xantippus beyng capitayne of Lacedemon/ ⁊ Hamilcar father to Hānyball beyng graūde capitayne of the carthagyēs. Regulus was ſworne ⁊ ſēt to the coūſayle of Rome condycionally/ ꝧ except certen noble ꝑſoners were reſtored to ye carthagyēs, that he himſelfe ſhulde returne to Carthage. After Regulꝰ came to Rome he ꝑceyued a liklyhod of ꝓfyt/ but he iudged (as the mater declareth) that it was deceptous ⁊ falſe ꝓfyt/ which liklyhod was this/

manare in patria, eſſe domi ſuæ, cum uxore, cum liberis, quam calamitatem accepiſſet in bello communem fortunæ bellicæ iudicare, tenere conſularis dignitatis gradum, quis hæc negat eſſe utilia? quæ cenſes? magnitudo animi, & fortitudo negat? Nam locupletiores quæris authores. Harum enim eſt uirtutum proprium nil extimeſcere, omnia humana deſpicere, nihil quid homini accidere poſſit intolerandum putare. Itaq; quid fecit? In Senatum uenit, mandata expoſuit, ſententiam ne diceret, recuſauit, quamdiu iureiurando hoſtium teneretur, non eſſe Senatorem. Atq; illud etiam (O ſtultum hominem dixerit quiſpiam, & repugnantē utilitati ſuæ) reddi captiuos, negauit eſſe utile. Illos enim aduleſcentes, & bonos duces eſſe, ſe iam confectum ſenectute. Cuius cum ualuiſſet authoritas, captiui retenti ſunt, ipſe Carthaginem redijt, neq; eum charitas patriæ retinuit, nec ſuorum. Neq; uero tum ignorabat ſe ad crudeliſſimum hoſtem, & ad exquiſita ſupplicia proficiſci. Sed iuſiurandum conſeruandum putabat. Itaque tum cum uigilando necabitur, erat in meliori cauſſa, quam ſi domi ſenex, captiuus, & periurus conſularis remanſiſſet. At ſtulte, qui non modo non cenſuerit captiuos remittendos, uerumetiam diſſuaſerit. Quomodo ſtulte? etiam ne ſi Reipubl. conducat? poteſt autem quod inutile Reipubl. ſit, id cuiquam ciui utile eſſe? Peruertunt homines ea, quæ ſunt fundamenta naturæ, cum utilitatem ab honeſtate ſeiungūt. Omnes enim expetimus utilitatem, ad eamq; rapimur,

to tary in his cōtrey/to be at whome with his wyfe/⁊ his chyldren/to iudge ſuche miſchaūce as he ſhulde haue take in batayle to be cōmen ⁊ indifferent to fortune and chaūce of warre/to kepe the degre of cōſuls authorite/ who can deny but theſe thynges be ꝓfytable? what thynkeſt thou in this caſe? Boldneſſe ⁊ valyaunce of ſtomacke denyeth theſe thynges to be profytable/for thou lokeſt for more credyble authours/for the property of theſe vertues is to drede nothyng/to diſpyſe al trāſytory thynges ⁊ to iudge nothyng that may chaūce to man intollerable. Therfore what dyd Regulus? he came in to the parlyamēt houſe, he ſhewed his meſſage/he refuſed to ſhewe his opynion therin as longe as he was bounde by the othe of his enemyes/he ſayd that he was no ſenatour. And ſome man myght ſay/ oh folyſſhe man and beynge agayne his owne profyte/which denyed it to be profytable to reſtore the captyues. He ſayde that they were yonge men ⁊ good capitaynes/⁊ that he was worne out with age. whoſe authorite ⁊ counſayle after it preuayled and toke effecte/the captyues were kepte ſtyll/he hym ſelfe returned to Carthage. Neyther the loue of his natyue countrey dyd retayne hym/nor the deſyre of his kynne nor frendes/nor it was vnknowen to hym thā that he toke his iourney to a very cruel enemy/⁊ to exquiſyte and newe ſtudyed turmēt: but notwithſtādyng he thought that his promeſſe by ſolemne othe muſt be obſerued. Therfore that tyme that he was ſlayne by cōtynuall watche, he was in better condycion than if he an olde man ⁊ a priſoner/alſo a periured ſenatour ſhulde haue taryed at whom. But he dyd folyſſhly which not onely iudged that the priſoners ſhulde not be remytted home/but alſo diſuaded to the contrary. Howe foliſſhly dyd he? ye he dyd not foliſſhly which dyd ꝓfyte the cōmen welthe. May that thyng that is vnprofytable to a cōmen welthe be profytable to any cytezyns? Men peruerte ⁊ turne euyll ſuche thynges which be the foūdacyons of nature whan they ſeperate profyte fro honeſty for all we deſyre profyte/and we be drawen therto/

nec facere aliter ullo modo poſſumus. Nam quis eſt, qui utilia fugiat, aut quid potius, qui ea non ſtudioſiſſime proſequatur? Sed quia nuſquam poſſumus, niſi in laude, decore, honeſtata, utilia reperire, propterea illa prima, & ſumma habemus, utilitatis nomen non tam ſplendidũ quã neceſſarium ducimus. Quid eſt igitur, dixerit quis, in iureiurando? num iratum timemus Iouem? At hoc quidem cõmune eſt omnium philoſophorum, non eorum modo qui Deum nihil habere ipſum negotij dicunt, & nihil exhiberi alteri, ſed eorum etiam, qui Deum ſemper agere aliquid, & moliri uolunt. Nunquam nec iraſci Deum, nec nocere. Quid autem iratus Iupiter plus nocere potuiſſet, quam nocuit ſibi ipſe Regulus? Nulla igitur uis fuit religionis, quæ tantam utilitatem peruerteret. An ne turpiter faceret? Primum minima de malis. Num igitur tantum mali turpitudo iſta habebit, quantum ille cruciatus? Deinde illud etiam apud Accium (Fregiſti ne fidem? Neq; dedi, neq; do infideli cuiquam). Quanq̃ ab impio rege dicitur, luculente tamen dicitur. Addunt etiam qumeadmodum nos dicamus, uideri quædam utilia quæ non ſint, ſic ſe dicere, uideri quædam honeſta, quæ non ſint, ut hoc ipſum uidetur honeſtum conſeruandi iuſiurandi cauſſa ad cruciatum reuertiſſe. Sed ſit non honeſtum quia quod per uim hoſtium eſſet actum, ratum eſſe non debuit. Addunt etiam quicquid ualde utile ſit, id fieri honeſtum, etiam ſi antea non uideretur. Hæc ferè contra Regulum. Sed prima uideamus.

nor we can do no other wyſe. For who is he that wyl flye fro ꝓfyte/or where is he rather that foloweth not ꝓfyte with al his affection? But for as moch as we cā no where fynde ꝓfyte but in laude/worſhyp ⁊ honeſty/therfore we eſteme ꝓfyte chefe ⁊ moſte excellēt: we iudge the name of profyte not ſo goodly as it is neceſſary. ¶Than what daūger (a mā may ſay) is there ī promeſſe by an othe? wheder or no do we feare the diſpleaſure of god? But this is a cōmen ſayeng of al phyloſophers/not onely of ſuche which ſay that god hath no buſyneſſe/⁊ gyueth nothyng to any man/but alſo of ſuch that wylleth that god is alway occupyed a bout ſomthyng/⁊ that god is neuer angry nor hurteth any man. what myght Iuppiter in his ire do more hurte than Regulus dyd hurt hymſelfe? ¶Therfore there was no cōpulſyon of drede of god that myght turne backe that profytable dede/in ſauyng his lyfe ⁊ auoydyng turmēt. ¶Thā wheder or no dyd Regulꝰ a thing of reproche? Fyrſt (to anſwere for Regulus) he dyd the leeſt of euyls. ¶Thā thus/wheder not ſtādyng hath reproche ſo moche euyl as ẏ turmēt of Regulus had? Ferther regarde this ſayeng lykewyſe in the tragycall poete Accius: Haſt thou broke thy promeſſe? I neyther made ꝓmeſſe nor make to any diſceytful mā. ¶Though this was ſayd of a kīg called Atreue/that dred not god/notwithſtandyng it is playnly ſayd. Some mē adde alſo vnder what maner we may ſay that ſomthynges ſeme to vs ꝓfytable which be not ī dede ſo they ſay that Regulꝰ dyd ſay ſomthīges ſemed to hym honeſt that were not honeſt in dede/as in example/this ſemeth to be honeſt to haue returned to turmēt bycauſe of his ꝓmeſſe by ſolemne othe/but it is made not honeſt: by reaſon that it was made by compulſion of his enemyes it ſhulde not be lawfully done. Some mē adde alſo, what ſo euer is very profytable it may be made honeſt/ye though it ſemed not ſo before. All theſe argumentes almoſt ſeme to be agaynſt Regulus. But let vs loke vpon the fyrſte

Non fuit Iupiter metuendus, ne iratus noceret, quia neq; iraſci ſolet, neq; nocere. Hæc quidem ratio non magis contra Regulum, q̃ contra omne iuſiurandum ualet. Sed in iureiurando, non qui metus, ſed quæ uis ſit debet intelligi. Eſt enim iuſiurandum affirmatio religioſa, quod autem affirmatione quaſi deo teſte promiſeris, id tenendum eſt. Iam enim non ad iram Deorum, quæ nulla eſt, ſed ad iuſtitiam & ad fidem pertinet. Nam præclare Ennius. O fides alma apta pinnis, & iuſiurandum Iouis. Qui igitur iuſiurandum uiolat, is fidem uiolat, quam in Capitolio uicinam Iouis Optimi maximi (ut in Catonis oratione eſt) maiores noſtri eſſe uoluerunt. At enim ne iratus quidem Iupiter, plus Regulo nocuiſſet, q̃ ſibi nocuit ipſe Regulus. Certe, ſi nihil malum eſſet niſi dolore, id autem non modo non ſummum malum, ſed nec malum quidem eſſe maxima authoritate Philoſophi affirmant. Quorum quidem teſtem non mediocrem, ſed haud ſcio an grauiſſimum Regulum, nolite quæſo uituperare. Quem enim locupletiorem quærimus, quam principem Pop. Ro. qui retinendi officij cauſſa, cruciatum ſubierit uoluntarium? Nam qui aiunt minima de malis, hi ut turpiter potius quam calamitoſe. An eſt ullum maius malum turpitudine? Quæ ſi in deformitate corporis habeat aliquid offenſionis, quanta illa deprauatiõe, et fœditas turpificati animi debet uideri? Itaq; neruoſius, qui illa diſſerunt, ſolũ audet malũ dicere,

was not Jupiter to be drad leeſt he moued with ire ſhul do hurt/ bycauſe he is not wont to be angry noꝛ to do any hurte. This reaſon maketh no more agaynſt Regulus tha agaynſt al other pꝛomeſſe made by othe/ but in ſuche pꝛomeſſe it muſt be vnderſtāde not what drede is/ but what is the vertue of an othe. Foꝛ a pꝛomeſſe by an othe is an affyrmacion a graunt touchyng god: foꝛ that thyng which thou doeſt pꝛomeſſe affyrmatyue by ſuche graūt (as a man wyll ſay) takyng god to wytneſſe/ is to be obſerued. Foꝛ now this ſolemne pꝛomeſſe pertayneth not to the diſpleaſure of god (which is none) but to iuſtyce & to fydelite: foꝛ Ennius the poete ſayth full notably. Oh ſtable truthe & faythfulneſſe fethered to flye to heuen/ & trewe pꝛomeſſe made by Juppiters name. Therfoꝛe he that bꝛeketh pꝛomeſſe by othe/ he bꝛeketh fayth & truthe/ the ymage wherof our elders ſet in the capitoly next vnto Juppiter moſte myghty/ as appereth in a narracyon made by Cato. Foꝛ Juppiter angred coulde not haue hurt Regul⁹ moꝛe thā Regulus hurt hymſelfe. Surely if nothyng were euyl but payne & ſoꝛowe/ phyloſophers affyrme by great authoꝛite that that thyng is not onely to be eſtemed moſte myſera but alſo it is not to be iudged euyll. Of the whiche phyloſophers be not ye wyllyng (I pray you) to repꝛoue Regulus a wytneſſe not meete/ I can not ſaye whether I may call hym very ſubſtancyall. Foꝛ whom ſhall we ſeke moꝛe ſubſtancyall and credyble than a chefe capitayne of the Romaynes/ which bycauſe to ſaue his honeſty ſuffred turmentes voluntary. Foꝛ they that ſaye that it is leſt of euyls to do any thynge vnhoneſt/ they be ſuche that thynke that they may do rather vnhoneſtly thā ſuffre any thynge paynfully. But is there any woꝛſe euyll than diſhoneſty/ whiche diſhoneſty if it haue any diſpleaſure in the defoꝛmytie of the bodye/ howe moche moꝛe the dyſpꝛopoꝛcyon and the fylthyneſſe of the ſoule dyſfygured ſhulde appere? Therfoꝛe ſuche as dyſpute theſe thynges moꝛe pithyly, are bolde to call that thynge euyll

id quod turpe ſit, qui autẽ remiſsius, hi tamen non dubitãt ſummũ malum dicere. Nam illud quidem neq; dedi neq; do fidem infideli cuipiam. Idcirco recte à Poeta dicitur, quia cum tractaretur Atreus, perſonæ ſeruiendũ fuit. Sed ſi hic ſibi ſument, nullam eſſe fidem, quæ infideli data ſit, uideant ne quæratur latebra periurio. Eſt autem etiam ius bellicũ, fidesq; iuſiurãdi ſæpe hoſti ſeruanda. Quod enim ita iuratum eſt, ut mens conciperet fieri oportere, id ſeruandũ eſt, quod aliter id ſi non feceris, nullum periurium eſt. Vt ſi prædonibus pactum pro capite preciũ non attuleris, nulla fraus eſt, ne ſi iuratus quidem id non feceris. Nam pirata non eſt ex perduellium numero definitus, ſed communis hoſtis omnium, cum hoc nec fides eſſe debet, nec iuſiurãdũ commune. Non enim falſum iurare peierare eſt, ſed quod ex animi tui ſententia iuraueris, ſicut uerbis concipitur (more noſtro) id non facere periurium eſt. Scitè enim Euripides, Iuraui lingua, mentem iniuratam gero. Regulus uero non debuit conditiones, pactionesq; bellicas, & hoſtiles perturbare periurio. Cum iuſto enim & legitimo hoſte res gerebatur, aduerſus quem, & totum ius feciale, & multa ſunt iura cõmunia. Quod ni ita eſſet, nunq̃ claros uiros ſenatus uinctos hoſtibus dedidiſſet. At uero Titus Veturius, & Spurius Poſthumius, cum iterum conſules eſſent, quia cum male pugnatum apud Caudium eſſet, legionibus noſtris ſubiugum miſsis, pacem cum Samnitibus fecerant, dediti ſunt his. Iniuſſu enim populi ſenatusq; fecerat. Eodemq; tempore Titus Munitius, Qu. Aemulius

that is diſhoneſt:but ſuch as diſpute the thīg more weakly yet they dout not to ſay that diſhoneſtye is an euyll moſt intolerable. For as touchīg the ſayeng of Atreus/neyther I made nor make promeſſe to any unfaythfull mā. Therfore it is ſayd of the poete Accius that where as Atreus was ſpoke ī a tragedy/the poete muſt apply to the ꝑſō of Atreus his qualitie cōuenient. But if ſo be they take upon thē in this caſe that no ꝓmeſſe is to be kept that is made to an untrewe pſon/let thē regarde leeſt a ſtertyng hole be ſet opō to periury. The lawe of armes ⁊ alſo promeſſe by an othe ſolemly bōde/is oftē to be kept with our enemyes. For that thyng which is boūde by othe/ſo that the mynde ⁊ conſcyence cōceyued that it ought to be done/it muſt be perfourmed/which otherwyſe promyſed(though a mā do it not)it is no piury:as in example. If thou bring not that money whiche thou dyd promeſſe to theues/ there is no fraude/no though thou be ſworne ⁊ do it not. For a pyrate is not declared of the nombre of enemyes/but as an unyuerſal enemy of all mē:with that pyrate no ꝓmeſſe ſhulde be kept/nor no ſolempne othe. For a mā to ſweare wrōgfully is no periury/but not to perfourme that which thou haſt ſworne after thentēt of thy mynde)lyke as it is cōceyued ī wordes(after our maner)is piury. The poete Euripides ſpake wiſely ⁊ expertly: I made an othe by tōg/but I beare a mynde unſworne. But Regulꝰ ought not breke couenaūtes ⁊ promeſſe after lawe of armes made to his enemyes by periury/for the mater was done with a iuſt ⁊ lawfull enemy/agaynſt the whiche enemye bothe the hole lawe of harroldes of armes/⁊ many cōmē lawes be made which if it were not ſo/our coūſayle of Rome wolde neuer haue yelde ⁊ be take ī to ẏ hādes of their enemyes/noble mē boūden in bondes. Titus Ueturius ⁊ Spurius Poſthumius whā they were cōſuls the ſecōde tyme/bycauſe the batayle at Caudiū cyte was euyl fought/our legions ⁊ army put to the worſe/they made a peace with the ſamnytes:the conſuls were yelded to the ſamnytes/they dyd with cōmaūdemēt of the people ⁊ of the coūſell of Rome. The ſame tyme Titus Numicius ⁊ Quintus Aemilius

qui tum tribuni plebis erant, quod eorum authoritate pax erat facta, dediti ſunt, ut pax Samnitũ repudiaretur. Atq; huius deditionis, ipſe poſthumus, q dedebatur, ſuaſor, & author fuit, quod idem multis poſt annis C. Mancinus, qui ut Numantinis, quibus cum ſine ſenatus authoritate fœdus fecerat, dederetur, rogationẽ ſuaſit eam, quam Lucius Furius, & Sextus Atilius ex ſenatus conſulto ferebant, qua accepta, eſt hoſtibus deditus. Honeſtius hic quã Qu. Pompeius, quo cum in eadẽ cauſſa eſſet, deprecante, accepta lex non eſt. Hic ea, quæ uidebatur utilitas plus ualuit quã honeſtas. Apud ſuperiores utilitatis ſpecies falſa, ab honeſtatis authoritate ſuperata eſt. At non debuit ratũ eſſe, quod erat actũ per uim, quaſi uero forti uero uis poſſit adhiberi. Cur igitur ad ſenatũ proficiſcebatur, cum præſertim de captiuis diſſuaſurus eſſet. Quod maximũ in eo eſt, id reprehenditis. Non enim ſuo iudicio ſtetit, ſed ſuſcepit cauſſam, ut eſſet iudiciũ ſenatus, cui niſi ipſe author fuiſſet, captiui profecto Pœnis redditi eſſent. Ita incolumis in patria Regulus reſtitiſſet, quod quia patriæ nõ utile putauit, idcirco honeſtũ ſibi & ſentire illa, & pati credidit. Nã (qđ aiunt) quod ualde utile ſit, id fieri honeſtũ, immo uero eſſe nõ fieri. Eſt enim nihil utile, quod idẽ nõ honeſtũ, nec quia utile honeſtũ eſt, ſed quia honeſtum utile. Quare ex multis mirabilibus exemplis haud facile quis dixerit, hoc exemplo aut laudabilius, aut præſtatius. Sed ex tota hac laude Reguli, unum illud eſt admiratione dignũ, quod captiuos retinendos cenſuerit. Nam quod rediit, nobis nõ mirabile uidetur,

whiche were that tyme knyghtꝭ for the ſhyre/ bycauſe the peace was made by their authorite/ they were yelded to ẏ entent that the peace of the ſamnites ſhulde be refuſed: ⁊ the ſelfe ſame Poſthumꝰ that was ĩ dãger vnder bõde was the counſayler ⁊ cauſer of this yeldyng/ which ſelfe thyng many yeres after Caius Mãcinus which after he was yelded to the Numẽtynes/ ⁊ whõ he made a leage without thauctorite of the ſenate of Rome: he moued the Romaynes to make the ſame decre of their mynde which Lucius Furius ⁊ Sextꝰ Attilius made by acte of parlyamẽt/ which decre aprobate/ he was yelded to his enemyes. He dyd more honeſtly thã Quintus Pompeius which refuſyng that yeldyng/ where as he was one amõge other ĩ the ſame cauſe/ his ꝑſuaſyõ was not take lauful. In this cauſe ⁊ perſuaſyõ of Pompey the ꝓfyte that appered profyte bare a greater ſtroke thã honeſty: but with our elders the falſe colour of ꝓfyte was ſuppreſſed by the authorite of honeſty. Albeit ſom wyl obiect it ſhulde not be take laufull that was done by vyolẽce or compulſyõ/ as who ſay vyolẽce may be done to a valyaũt ſtomaked man. Than wherfore (ſome wyll obiect) came Regulꝰ to the ſenate of Rome/ in ſpeciall whan he was determyned to diſſuade ⁊ moue the Romaynes of ẏ captyues not to be reſtored: ye reproue that thĩg in Regulꝰ which is moſt to be prayſed for he ſtode not as a iudge in his owne cauſe/ but toke the cauſe in hãde to the entẽt the ſenate ſhuld be iudges therin/ to the which cauſe if he had not be called vpon/ the priſoners vndouted had ben reſtored to the Carthaginẽſes. So vpright Regulus ſtode ſtyffe in his coũtrey/ whiche thinge bycauſe he thought not to be profytable to his coũtre/ therfore he iudged it honeſt for him to take the opinion ⁊ to ſuffre turmẽtes. For the whiche cõſyderacion/ that thinge (as they ſay) whiche is very ꝓfytable may be made honeſt/ but they ſhulde ſay that the thynge that can not be made honeſt. Nor bycauſe it is profytable it is honeſt/ but bycauſe it is honeſt it is profytable. wherfore of many meruaylous examples a man can not lightly ſpeke of a more laudable or more valyaũt than this example. But of al this laude of Regulus this on thĩge is worthy prayſe/ bycauſe he iuged that the captiues ſhuld be kept ſtyl at Rome/ for the cauſe why he returned ſemeth no meruayle to me

Illis quidē temporibus aliter facere non potuit. Itaq; iſta laus non hominis, ſed temporū. Nullum etiam uinculū ad aſtringendā fidem iureiurando maiores arctius eſſe uoluerunt, id indicant leges i. xij. tabulis, indicat ſacra, indicant fœdera, quibus etiam cum hoſte deuincitur fides, indicant notationes, animaduerſioneſq; cenſorū, qui nulla de re diligentius, quam de iureiurando iudicabāt. L. Manlio Auli filio, cum dictator fuiſſet, M. Pomponius trib. plebis, diem dixit, quod is paucos ſibi dies ad dictaturam gerenam addidiſſet criminabatur etiam quod Titum filium, qui poſtea eſt Torquatus appellatus, ab hominibus relegaſſet, & ruri habitare iuſsiſſet, quod cum audiuiſſet aduleſcens filius, negocium exhiberi patri, accurriſſe Romam, & prima luce Pomponij domum ueniſſe dicitur. Cui cum eſſet nunciatum, quod illum iratū allaturum ad ſe alliquid contra patrem arbitraretur, ſurrexit è lectulo, remotiſq; arbitris, ad ſe aduleſcentē iuſsit uenire. At ille ut ingreſſus eſt, confeſtim gladium diſtrinxit, iurauitq; illū ſtatim interfecturū, niſi iuſiurandū ſibi dediſſet ſe patrem miſſum eſſe facturum. Iurauit hoc terrore coactus Pomponius, rem ad populum detulit, docuit cur ſibi à cauſſa deſiſtere neceſſe eſſet. Manliū miſſum fecit. Tantū temporibus illis iuſiurandū ualebat. Atq; hic. T. Manlius is eſt, q ad Anienem Galli quem ab eo prouocatus occiderat, torque detracto, cognomē inuenit. Cuius tertio cōſulatu Latini ad Veſerim fuſi, & fugati. Magnus uir in primis, & qui nuper indulgens in patrē, idem acerbus & ſeuerus in filium. Sed ut laudandus Regulus

in that tymes, he myght do no otherwyſe. Therfore this prayſe is not of the man but of the tyme. Farther there is no doute ÿ our elders wylled to be more ſtrayter to kepe faythful ꝓmeſſe thā by a ſolemne othe/ that determyneth the lawes called duodecim tabule/ as who ſay the cōmen lawe. The ſame affyrmeth the lawe ſpiritual/ the ſame affyrmeth leages/ by the whiche leages alſo ꝓmeſſe is to be kept with our enemyes/ the corrections ⁊ punyſſhmēt of the cēſors/ whiche declareth nothyng more dylygēt thā of ꝓmeſſe by othe. Marcus Pomponiꝰ knyght for the ſhyre aſſygned a day to Luciꝰ Mālius / bycauſe Manliꝰ added more dayes to occupy the roume of his dictature or emperyallite thā was due by the law/ alſo bycauſe Mālius dyd baniſſhe his ſonne (which after was called Torquatꝰ) fro the company of men/ ⁊ cōmaūded hym to dwel in the coūtrey/ whiche mater after the yonge mā his ſonne herde to be layd to his father/ it is ſayd that he came to Rome at ryſing of day/ to the houſe of Pomponius/ to the whiche Pōponius after it was ſhewed of his cōmyng/ he roſe fro his bedde/ bycauſe he thought that Tytus angred wolde lay ſomwhat agayn his father before hym/ ⁊ al other cōmaūded to go aparte/ he bade the yong man come vnto him. And as ſone as he came i/ by ⁊ by he drew his ſworde ⁊ made an othe that he wolde ſlee Pomponius except he wolde make a ſure promeſſe by othe to hym that he wolde ſuffer his father to be at reſt. Pōponius cōpelled by feare declared the mater to the people/ ⁊ ſhewed that it was neceſſary to gyue ouer the mater. He dimiſſed Mālius / promeſſe by othe was ſo regarded in that tyme. And this Titus Māliꝰ is the ſame mā that got his ſurname Torquatus of a frēchman that he ſlew by the ryuer of Anien/ prouoked by the ſame frenchman, his coller plucked frō him. In whoſe tyme beynge ÿ thirde tyme cōſul/ the romayns were ouerthrowen ⁊ put to flyght at Weſeris cyte. This great mā among the chefe/ which both was gētle ⁊ kynde herted towarde his fader/ ÿ ſame mā was ſharpe ⁊ cruell towarde his ſonne. But as Regulus was to be prayſed

in conſeruãdo iureiurando, ſic decem illi, quos poſt Cannẽſem pugnam iuratus ad ſenatũ miſit Annibal, in caſtra redituros ea, quorũ erant captiui, niſi de redimendis captiuis impetrauiſſent, ſi non redierũt uituperandi. De quibus non omnes uno modo. Nam Polybius bonus author in primis, ſcribit ex decem nobiliſsimis, qui tunc erant miſsi, nouẽ reuertiſſe, à Senatu, re nõ impetrata. Vnũ ex decem, qui paulo poſtquam egreſſus erat è caſtris rediſſet, quaſi aliquid eſſet oblitus, Romæ remanſiſſe. Reditu enim in caſtra, liberatũ ſe eſſe iureiurando interpretabatur. Non recte. Fraus enim diſtringit, non diſſoluit periurium. Fuit igitur ſtulta callidatas, peruerſa imitata prudentiam. Itaq; decreuit ſenatus, ut ille ueterator, & callidus, uinctus ad Annabilem duceretur. Sed illud maximum, octo hominum millia tenebat Annibal, non quos in acies cœpiſſet, aut qui periculo mortis diffugiſſent, ſed qui relicti in caſtris fuißent à Paulo, & Varrone conſulibus, eos ſenatus non cenſuit redimendos, cum id parua pecunia fieri potuiſſet, ut eſſet inſitum militibus noſtris, aut uincere, aut emori. Qua quidem re audita, fractum animum Annibalis, ſcripſit idem, quod ſenatus populusq; Romanus rebus adflictis tam excelſo animo fuiſſet. Sic honeſtatis comparatione ea, quæ uidẽtur utilia uincuntur. Atilius autem, qui Græce ſcripſit hiſtoriam plures ait fuiße, qui in caſtra reuertißẽt, eadẽ fraude, ut iureiurando liberarentur, eoſq; à Cenſoribus omnibus ignominijs notatos. Sit iam huius loci finis, perſpicuum eſt enim, quæ timido animo, humili, demiſſo, fractoq; fiant,

In keppynge his ꝓmyſſe by othe/ſo theſe .x. mē/whō ſwoꝛne after the batayle of Canne cytie/ Hānyball ſent to the ſenate cōdycionally/that they ſhulde returne in to the tētes of thē whoſe pꝛiſoners they were/except they might haue optenyed that the ꝑſoners might be raunſomed/⁊ yf they had not returned it had bē to thē repꝛoche. Of the which ten mē ſwoꝛne/al haue not ſwoꝛne like. Foꝛ Polybius a good authoꝛ among other that were excellēt/ wꝛyteth of theſe .x. noble men which were ſent that tyme/that .ix. returned fro the ſenate theyꝛ purpoſe not optayned:and he wꝛyteth that of theſe .x. ſoone after that he departed out of the tent of Hānybal/ dyd returne agayn as though he had foꝛgot ſome thing,he dyd remayn behynde in Rome/ foꝛ he dyd interpetrate that thꝛough his returne in to the tētes of Hānyball he was diſcharged of his pꝛomyſſe by othe/but not ryghtful:foꝛ fraude byndeth ⁊ not loſeth pariury. Therfoꝛe it was a foliſh craftyneſſe counterfayting pꝛudēce frowardly. ¶Therfoꝛe the ſenate decreed yͭ olde ſubtyle ⁊ crafty knaue ſhulde be bꝛought to Hānyball his hādes bounde behynde hym. But this is to be noted/ Hānibal kept .viii. thouſande pꝛiſoners/not ſuche as he toke in batayle/oꝛ that fled in chace foꝛ dꝛede of deth/but ſuch as were left behynde in yͤ tent by cōmaundement of Paulus ⁊ Uarro being that tyme cōſuls. The ſenate decreed that they ſhulde not be rāſomed/where it might haue be done foꝛ a lytle money, to thintēt that it might be wꝛytē in the hert of noble mē of armes/either to get vyctoꝛy oꝛ to dye māfully. which thing herde/the ſame Polybi⁹ wꝛote that the hert of Hannybal was bꝛokē, becauſe the ſenate ⁊ the cōmētie of Rome were ſo valiāt of hert ī tyme of aduerſytie. And ſo by theſe reaſōs thoſe thīges that ſemeth to be ꝓfytable be of no regarde in cōparyſon of honeſtie. Acili⁹ that wꝛiteth an hiſtoꝛy ī greke tong/ſaith that they were mo that returned ī to the tent of Hānibal by reaſō of that fraude that they might be diſcharged of their othe/⁊ that they were puniſſhed by yͤ cēſours wͭ al maner ſhame. And here of this place an ende/ foꝛ it is very euydēt that ſuche thīges which be done ⁊ fearful ſtomak/low ſtopīg ⁊ weke

quale fuiſſet Reguli factum, ſi aut de captiuis, qđ ipſi opus eſſe uideret, nõ quod Reipu. cenſuiſſet, aut domi remanere uoluiſſet, nõ eſſe utilia, qa ſint flagitioſa, et fœda, et turpia.

DE VTILITATE QVAE pugnat cum modeſtia.

Reſtat quarta pars, quæ decore, moderatione modeſtia, continẽtia, temperantia cõtinetur. Poteſt igitur quicquam utile eſſe, quod ſit huic taliũ uirtutũ choro cõtrarium? At qui ab Ariſtippo Cyrenaici, atq; Annicerij Philoſophi nominati, omne bonũ in uoluptate poſuerunt, uirtutemq; cenſuerunt ob eam rem eſſe laudandam quod efficiens eſſet uoluptatis. Quibus obſoletis floret Epicurus eiuſdẽ ferè adiutor, autorq; ſentẽtiæ. Cum his uelis equiſq; (ut dicitur) ſi honeſtatem tueri, ac retinere ſententia eſt, decertandum eſt. Nam ſi non modo utilitas, ſed uita hominis beata corporis firma cõſtitutione, eiuſq; conſtitutionis ſpe explorata (ut à Metrodoro ſcriptum eſt) continetur, certe hæc utilitas, & quidem ſumma (ſic enim cenſent) cum honeſtate pugnabit. Nam ubi primum prudentiæ locus dabitur? an ut conquirat undiq; ſuauitates? Quam miſer uirtutis famulatus ſeruientis uoluptati? Quod autem munus prudẽtiæ? an legere intellegetur uoluptates? Fac nihil iſto eſſe iucundius, quid cogitari poteſt turpius? Iam qui dolorem ſummũ malum dicat, apud eum quem habet locũ fortitudo? quæ eſt dolorum laborumq; contemptio. Quamuis enim multis in locis dicat Epicurus, ſicut hic dicit, ſatis fortiter de dolore, tamen non id ſpectandum eſt quid dicat,

(As ſhuld the dede of Regulus be if eyther he had gyue ſētence of the captyues to be reſtored/ whiche myght ſeme profytable to hym /& not to haue reſpected that thīg that he judged to be a cōmen welthe/or els if he wolde haue remayned ſtyll at home) that all theſe be not profytable/ bycauſe they be vycious/fylthy/ and leaude.

¶ Of temperaunce the diſcrypcion.

The fourthe parte remayneth/ whiche is contayned comly in a moderaũce & meſure/ cōtynence/& temperaũce. May than any thing be ꝑfytable that is cōtrary to this cōpany of vertues? But the phyloſophers that were named of Ariſtippus/ Cirenaici/⁊ Annicerii/iudged that perfyte felycite of mā ſtode in voluptie & pleſure of body, and ſayd that vertue was to be prayſed by reaſon that it was the cauſe effyciēt of bodyly pleaſure: which philoſophers exploſed & banyſſhed/ Epicurus an ayder & an authour almoſt of the ſame errour doth ſtoriſſhe. with theſe erronyous perſons we muſt be as warre/ & ſayle & horſe (as it is ſayd) if we thynke to defende ⁊ kepe honeſty. For if ſo be not onely profyte/ but alſo the lyfe of man be contayned in perfyte felycite/by reaſon of cōtynuall helth of body/& in a ſure truſt of the ſame helthe(as Metrodorus wryteth) ſurely that profyte & perfyte ꝑfyte(ſo Metrodorus iudgeth) ſhalbe cōtraryous to honeſty. For where firſt ſhalbe a place to prudēce? whether there as it may vpon euery ſyde ſide out pleaſures. Howe wretched is the ſeruyce of vertue that ſerueth to pleaſure? what ſhall be the offyce of prudence? whether ſhall he ſtudye to ſeke out pleaſures? Admyt that there is nothynge more pleſaunt thā this/what may be ymagyned more leude ⁊ vile. Now he that ſaythe that payne is moſte myſerye / what place ſhall force or manhode haue with hym? whiche force is a cōtempciō of paynes & laboure. Though Epicur⁹ ſaythe in many places(as he ſayth here) ſtyfly ynough of payne/ not withſtandyng it is not to be regarded what he ſayth)

Sed quid conſentaneum ſit ei dicere, qui bona in uoluptate terminauerit, mala in dolore, ut ſi illum audiam de continentia, aut temperantia. Dicit ille quidem multa multis locis, ſed aqua hæret (ut aiunt). Nam quomodo poteſt temperantiam laudare is, qui ponat ſummam bonum in uoluptate? Eſt enim temerantia libidinum inimica. Libidines autem conſectatrices uoluptatis. Atq; in his tamen tribus generibus quoquo modo poſſunt, nõ incallide tergiuerſantur. Prudentiam introducunt, ſcientiam ſuppeditantem uoluptates, depellentem dolores. Fortitudinem quoq; aliquo modo expediunt, cum tradunt rationem negligendæ mortis, perpetiendiq; doloris. Etiam temperantiam inducunt non facillime illi quidem, ſed tamen quoquo modo poſſunt. Dicunt enim uoluptatis magnitudinem, doloris detractione fieri. Iuſtitia uacillat, uel iacet potius, omnesq; hæ uirtutes, quæ in communitate cernuntur, & in ſocietate generis humani. Neq; enim bonitas, nec liberalitas, neq; cõmunitas eſſe poteſt, non plus quam amicitia, ſi hæc non per ſe expetantur, ſed ad uoluptatem, utilitatemue referantur. Conferamus igitur in pauca. Nam ut utilitatem nullam eſſe docuimus, quæ honeſtati eſſet contraria, ſic omnem uoluptatem dicimus honeſtati eſſe contrariam. Quo magis reprehendendos Calliphonem, & Dinomachum iudico, qui ſe diremptturos cõtrouerſiã putauerũt, ſi cum honeſtate uoluptatẽ tãquam cum homine pecudẽ copulauiſſẽt, Nõ recipit iſtam coniunctionem honeſtas, adſpernatur, & repellit. Nec uero finis bonorũ & malorum, qui ſimplex eſſe debet,

but what becōmeth hym to ſaye whiche wyll determyne that felycyte is in pleaſure / and myſery in payne / ſo he is to be regarded as if I ſhulde here hym to diſpute of contynance and temperaunce. He ſpeaketh many thynges in many places/but the water renneth away, as they ſaye. For howe maye he prayſe temperaunce that letteth the perfyte felycyte of men in pleaſure. For temperaunce is an enemye to pleaſure. Pleaſures be folowers of voluptuouſneſſe. And in theſe thre kyndes of vertues / by all maner of ſhyfte that they can craftyly they tourne catte in panne. They bringe in prudence as a ſcyence ſupportynge voluptuouſneſſe/and puttynge awaye paynes. And they bringe in as well as they can magnanymyte or bolde ſtomake / where as they ſhewe a reaſon to diſpyſe dethe / and to ſuffre payne. Alſo they introduce temperaunce not very eaſyly / but as well as they can. For they ſaye that great encreaſe of pleaſure is made by takynge awaye payne. Juſtyce ſtaggereth/ or rather lyeth in the dytche/ and all theſe vertues which be ſene in a cōmunitye and in a felowſhyp of mankynde. For neyther bountyfulneſſe/nor lyberalyte / nor felowſhyppe maye be no more than amytie and loue / if ſo be theis be not deſyred for them ſelfe/but be referred to voluptuouſneſſe or profyte. Therfore lette vs conclude in fewe wordes: For as I haue ſhewed that there is no profyte that ſhulde be contrary to honeſtie, ſo I ſaye that all voluptuouſneſſe to honeſtie is contrarye. Wherfore the rather I iudge Callipho and Dinomacus to be reproued, whiche thoughte that they ſhoulde diſſolue that controuerſye, yf they myght haue ioyned voluptuouſneſſe with honeſtye/as who ſayth a beaſte with a man. But honeſtye doth not admyt this copulacyon, but abhorreth it & repelleth it. Nor the defynicion of perfyte felycity is nor extreme myſeryes, which ſhoulde be ſyngle & playne,

ex diſsimilibus rebus miſceri, & temperari poteſt. Sed de hoc haſtenus. Magna enim res alio loco pluribus uerbis diſputata, nunc ad propoſitum. Quemadmodum igitur, ſi quando ea, quæ uideretur utilitas honeſtati repugnat, diiudicanda res ſit, ſatis ſupra eſt diſputatum. Sin autem ſpeciem utilitatis, etiam uoluptas habere dicatur, nulla poteſt eſſe ei cũ honeſtate coniunctio. Nam ut tribuamus aliquid uoluptati, condimenti fortaſſe nonnihil, utilitatis certe nihil habebit.

HAbes à patre munus, Marce fili, mea quidem ſententia magnũ, ſed perinde erit ut acceperis. Quanquam hi tres libri inter Cratippi cõmentarios, tanquam hoſpites erunt recipiendi. Sed ut ſi ipſe ueniſsem Athenas, quod quidem eſset factũ, niſi me è medio curſu clara uoce patria reuocaſset, aliquando me quoqꝫ audires, ſic quoniam his uoluminibus ad te profecta uox mea eſt, tribue his temporis quantum poteris, poteris autem quantum uoles. Cum uero intellexero te hoc ſcientiæ genere gaudere, tum & præſens tecum propediem (ut ſpero) & dum aberis abſens loquar. Vale igitur mi Cicero, tibiqꝫ perſuade te mihi quidem eſſe chariſsimum, ſed multo fore chariorem, ſi talibus monumentis, præceptiſqꝫ lætabere.

FINIS.

William Carlſon

may be myxt & meaſured of thiges that be vnlyke. But of this mater here an ende. ¶ This mater of great weyght is diſputed with more cyrcumſtaunce in an other place: now to purpoſe. ¶ Therfore lyke as if at any tyme that profyte which ſemeth perfyte be contrary to honeſtye / it is ſuffyciently here tofore deuyſed after what maner that mater muſt be diſcuſſed: but if ſo be voluptuouſneſſe may be ſayd to haue any colour of profyte / no conuenyence of copulation may be to it with honeſty. For the entent that we may graunt ſom what to voluptuous pleaſure / it ſhal haue ſome ſeaſonynge and ſauour / but ſurely nothyng of profyte.

¶ A concluſyon of this worke / called a peroracyon.

My ſonne Marcus / thou haſt here a gyfte of me thy father in myne opynion great / but it ſhalbe lyke as thou wylt accept it. ¶ Though theſe thre bokes ſhall be accept and taken as ſtraungers or geſtes amonge the commentaryes and workes of Cratippus / yet ſo to be accept and take as though I had come my ſelfe to Athenes / whiche vndouted had chaunſed / ſaue that my countrey with open voyce reuoked me fro the myddle of my iourney / thou ſhulde haue herde me alſo. And ſo for as moche that my voyce is come to the in theſe volumes / beſtowe thou in them as moche tyme as thou can. ¶ Thou maye as moche as thou wylt. whan I ſhall perceyue that thou takeſt delyte in this maner of ſcyence / than I both preſent ſhall ſpeake with the ſhortly (as I truſt) and whyles thou art abſent, I abſent yet ſhall ſpeake with the. ¶ Therfore fare well my ſonne Cicero / and this truſt vnto that thou ſhalt be vnto me moſte dere beloued / but thou ſhalte be moche more beloued if thou take delyte in ſuche monumentes and preceptes.

¶ Here endeth this booke.

the

¶ Imprynted at London in Fletestrete
at the sygne of the Sunne, by Iohn
Byddell. In the yere of oure
Lorde God.
1540.

B

I B
¶ IOHAN BYDDELL.

John

eſtre
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